The Animal Legal Defense Fund has published the 15th annual U.S. Animal Protection Laws Rankings Report. 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 20 different categories of animal protection.

U.S. ANIMAL PROTECTION LAWS STATE RANKINGS MAPS

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The Animal Legal Defense Fund’s 15th annual U.S. State Animal Protection Laws Rankings Report starts with a comprehensive review by our team of legal experts of more than 3,400 pages of state animal protection laws, then ranks them by relative strength and effectiveness. This year, Maine moved to the no. 1 spot while New Mexico landed at the bottom of the list.

RANKINGS BEST TO WORST:

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

Territories
1. DISTRICT OF COLUMBIA
2. U.S. VIRGIN ISLANDS
3. PUERTO RICO
4. GUAM
5. NORTHERN MARIANA ISLANDS
6. AMERICAN SAMOA ISLANDS

aldf.org/staterankings
ANNUAL STUDY RANKS LAWS ACROSS THE COUNTRY

JANUARY 2021

The Animal Legal Defense Fund announces the publication of the 2020 U.S. Animal Protection Laws Rankings Report. 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. For the first time in thirteen years, Illinois is no longer ranked as having the strongest animal protection laws in the country, having been surpassed by Maine. Following Maine in the top five are (2) Illinois, (3) Oregon, (4) Colorado, and (5) Rhode Island. This year Mississippi and Iowa rose out of the bottom two slots, having shored up some of their cruelty codes. New Mexico now has the country’s weakest animal protection laws on the books, followed closely by Wyoming (49), Idaho (48), Mississippi (47), and Alabama (46).

MAINE RISES TO THE TOP THANKS TO NEW CAAP LAW

This year Maine created a Courtroom Animal Advocate Program (CAAP), becoming the second state in the nation that allows a third-party advocate in the courtroom to advocate for the interests of animals in cruelty cases. The court may appoint an advocate (either an attorney or a qualified law student) in any animal cruelty case, where they can consult with law enforcement and veterinarians and present information or recommendations to the court. Maine has always had strong animal protection laws, particularly when detailing standards of care that must be provided to animals. Their code has comprehensive definitions of what constitutes adequate food, water, shelter, and care of animals. Having detailed definitions helps ensure neglect laws are consistently enforced because it removes ambiguity for both law enforcement and animal guardians. Maine has also consistently strengthened their laws over the years. Indeed, even though in 2019 Maine slipped one rank when it was surpassed by Colorado, it earned an honorable mention in our Rankings Report “most improved” section due to the many improvements instituted that year, including creating mandatory possession bans and giving certain animal-related hearings court calendar priority.

INTRODUCTION

MAINE RISES TO THE TOP THANKS TO NEW CAAP LAW

NEW MEXICO FALLS TO 50TH

KENTUCKY NOW PERMITS VETERINARIANS TO REPORT SUSPECTED ANIMAL CRUELTY

MAJOR TRENDS: POSSESSION BANS AND ADEQUATE SHELTER ON THE RISE

MOST IMPROVED:
STATE: IOWA
TERRITORY: NORTHERN MARIANA ISLANDS

Drawing on lessons from the field of crime victim law, CAAP statutes are an innovative way to provide animals harmed by criminal cruelty with in-court representation. Having legal counsel for an animal victim on hand, in turn, supports everyone involved in arriving at more just outcomes, by ensuring that those who cruelty laws are meant to shield — the animals themselves — have their experiences acknowledged and accounted for.”

David Rosengard
Animal Legal Defense Fund
Senior Staff Attorney
For the 15 years the Animal Legal Defense Fund has ranked state animal protection laws, New Mexico has consistently remained in the bottom tier. In 2020, other bottom-tier states strengthened their animal protection laws, surpassing New Mexico, causing the state to sink to the bottom of the Rankings.

New Mexico has a severely limited definition of “animal,” which excludes reptiles and, according to a state Supreme Court holding, also excludes uncaptured wild animals. Therefore before even looking to the substance of the animal cruelty laws, there are already huge categories of animals who are completely unprotected. Even animals who are included in the definition of “animal” do not enjoy comprehensive protections. New Mexico is one of four states that still do not have a law prohibiting bestiality (the other three are Hawaii, West Virginia, and Wyoming). Additionally, New Mexico’s neglect laws merely state that animals must be provided with “necessary sustenance,” and fail to specify what that term requires.

One necessary step in enforcing animal protection laws is identifying situations where animals are being cruelly treated. Because of “The Link,” the well-documented correlation between animal cruelty and familial violence, often professionals in the social services fields are the first ones from outside the home to witness animal cruelty occurring inside. Similarly, veterinarians are often the only witnesses to the signs and symptoms of animal cruelty. Unfortunately New Mexico does not have any laws requiring, or even explicitly permitting, these professionals to report suspected cruelty. These professionals therefore do not have any civil immunity protecting them from retaliatory lawsuits for reporting suspected cruelty. Relatedly, New Mexico is also in the minority of states that do not explicitly permit animals to be included in domestic violence protection orders.

All of these deficiencies in New Mexico’s animal protection laws do a disservice to the millions of animals living within its borders.

Kentucky had ranked last in our annual Rankings Report for 12 straight years until finally criminalizing the sexual assault of an animal in 2019. In 2020, Kentucky climbed further up the Rankings to 44th place by amending their laws to permit veterinarians to report suspected animal cruelty. Prior to this year, Kentucky was the only state that actually prohibited veterinarians from reporting suspected cruelty. The Animal Legal Defense Fund’s Rankings Report called attention to this troubling fact and helped spur the legislative change. Because of an existing immunity provision in Kentucky’s law, veterinarians now also have civil immunity from lawsuits for reporting suspected animal cruelty in good faith. Veterinarians are uniquely positioned; they have the expertise and experience to recognize the signs of animal cruelty, and they are often the only witness to those signs. Therefore it is crucial that the law empower veterinarians to report suspected animal cruelty.
Iowa jumped 11 ranks this year from 49th to 38th due to its passage of a bill that completely revamped their animal protection laws as they apply to companion animals and which was largely motivated by the Animal Legal Defense Fund’s recent Rankings Report. The bill contained numerous improvements, including the removal of an exemption to their previous cruelty laws for people who actively abused their own animal, meaning that if the abuser was the animal’s guardian, they could only be charged with a lower-level offense. The bill also expanded the level of intent that a prosecutor must prove that an abuser acted with. Previously, a prosecutor had to prove beyond a reasonable doubt that the offender acted with the intent to cause the animal physical injury, which could be difficult to prove. Now, a prosecutor must prove that the offender acted with a reckless disregard for the risk that their actions would result in the animal’s injury — a significantly lower bar to meet, making it more likely that offenders will be held accountable for their acts.

Iowa’s new laws also contain much more comprehensive definitions in the neglect provisions for what quantity and quality of food and water is necessary. They additionally now require that an animal’s guardian must provide a sanitary environment, ventilated shelter, necessary grooming, and necessary veterinary care. Finally, Iowa now requires courts to order psychological evaluation and, if necessary, treatment for any juvenile adjudicated for animal cruelty and any adult convicted of aggravated cruelty or torture. Courts are also now explicitly permitted to order psychological evaluation and treatment for all other animal cruelty offenders.

Iowa is still in the bottom tier because none of these improvements to the law affect farmed animals, or most species of wild animals. Aggravated cruelty and torture are still misdemeanors on the first offense. Like New Mexico, Iowa does not have any laws addressing veterinarians or social service workers reporting suspected animal cruelty. Iowa also does not have any possession ban laws, which would prohibit convicted abusers from acquiring new animals for a set period of time.

Prior to 2020, the commonwealth of the Northern Mariana Islands (CNMI) did not have any animal protection laws whatsoever. Several high-profile animal cruelty incidents drew public awareness to the territory’s lack of animal legal protections, leading to CNMI adopting its first-ever animal cruelty laws, which were based in part upon the Animal Legal Defense Fund’s Model Legislation. The law now prohibits inflicting unnecessary physical injury upon an animal, killing an animal in a manner that causes suffering, and dogfighting. It also requires animal guardians to provide “necessary food, water, or shelter sufficient to maintain the animal’s normal health, [and] protection from adverse weather conditions.” Violations of these laws are misdemeanors, and after conviction the defendant is liable for all costs of caring for seized animals. Upon conviction the court may prohibit the defendant from residing with an animal for a specified period of time, and they may also require the defendant to undergo psychological evaluation and treatment.

These are all enormous steps forward for the commonwealth, but there is still work to be done. First, the definition of “animal” excludes fish and farmed animals, so the scope of these laws is already limited. Second, CNMI still does not have any laws prohibiting sexual assault of an animal or prohibiting animal fighting for species other than dogs. Third, animal cruelty offenses, even maliciously torturing an animal, are still capped as misdemeanors with a maximum penalty of a $1,000 fine and 500 hours of community service. For these reasons, CNMI still ranks in the bottom tier of territories.

Kathleen Wood
Animal Legal Defense Fund
Staff Attorney

It is so heartening to see Iowa and the Northern Mariana Islands — two jurisdictions that were previously at the very bottom of our Rankings Report — enacting such robust laws addressing some of their greatest weaknesses. I am thrilled that the Animal Legal Defense Fund was able to assist with these reforms and hope we can continue to work with their legislatures to expand these protections to all species.”
For the third 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 a possession ban for convicted offenders. Between 2018 and 2019, twelve states created or strengthened their existing possession ban statutes. In 2020, four states — California, Mississippi, Tennessee, and Washington — expanded their existing possession ban laws. California and Tennessee both now require possession bans following a conviction for sexual abuse of an animal. Additionally, Tennessee now requires courts to order possession bans in cases of animal fighting and aggravated animal cruelty, such as torture. Mississippi amended its laws concerning cruelty to a dog or cat, providing that the court may order a possession ban for up to 5 years following a misdemeanor conviction, and up to 15 years following a felony; the court can also prohibit an offender from working in a place where dogs and cats are kept. Finally, Washington previously prohibited convicted offenders from owning or residing with animals who were “similar” species to those involved in the underlying offense, and in 2020 expanded their possession ban statute to prohibit owning or residing with animals of any species.

A new trend this year was an increase in the level of detail in state laws regarding the type of shelter that guardians must provide for their animals. Four states — Iowa, Vermont, Virginia, and Washington — all provided much greater specificity as to what constitutes “adequate shelter.” For example, Vermont previously required that “livestock and animals that are to be predominantly maintained in an outdoor area” be provided with shelter to protect them from “injury and environmental hazards.” Now, Vermont requires that all such animals be provided with natural or constructed shelter which is “a well-drained area of sufficient size to provide a windbreak and protection from exposure to [weather elements]” and which offers space to accommodate all animals. For farmed animals in enclosed areas, the shelter must also provide “adequate ventilation... sufficient to control excessive ambient temperatures and humidity and to prevent the accumulation of toxic gases, such as ammonia,” as well as adequate space for exercise. These specific provisions remove ambiguity, making the legal requirements clear for both animal guardians and law enforcement. The heightened standards also ensure that animals are provided with higher quality of care and protection from extreme weather. This is particularly important due to climate change and the resulting increase in the number of natural disasters and extreme weather conditions.

MAJOR TRENDS

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POSSESSION BAN

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 2020, 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 upward — in 2020 four states strengthened their possession ban laws.

SHELTER REQUIRED

From state to state, there is a vast difference between what kind and quality of shelter guardians must provide to their animals. Three states — Kentucky, Nebraska, and New Mexico — do not have any law requiring guardians to provide shelter for their animals. Four others only require guardians to provide shelter to dogs and cats. Nine states have statutes requiring “necessary” or “proper” shelter but do not define what that entails. Twelve states require that guardians provide animals with shelter that is necessary to maintain the health of the animal, usually specific to the breed, species, and age of the animal. This extra level of specificity makes it easier for shelter laws to be enforced and better protects species like reptiles who often have very specific environmental needs. Twenty-two states, and the District of Columbia, have laws that go beyond merely requiring shelter. These states include additional requirements, such as ventilation, sanitation, space, windbreaks, or bedding. Unfortunately, in six of those 22 states, those additional requirements only apply to dogs and cats. In 2020, four states — Iowa, Washington, Vermont, and Virginia — strengthened their shelter laws to provide greater levels of specificity.
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 2020, 19 states require veterinarians to report suspected animal cruelty, and most of those states also grant civil immunity to veterinarians who report. Thirty-one states, either explicitly or implicitly, permit veterinarians to report suspected animal cruelty. Until 2020, Kentucky was the only state that actually prohibited veterinarians from reporting suspected animal cruelty. However, that issue was remedied with the passage of Senate Bill 21, which empowers veterinarians to report suspected abuse and gives them civil immunity for doing so.

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 2020, 16 states and the Northern Mariana Islands statutorily authorize the court in its discretion to order psychological evaluation and, if necessary, treatment for convicted animal abusers. An additional 20 states and the U.S. Virgin Islands require psychological evaluation/treatment for certain convicted animal abusers. However, almost every one of those 20 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.

In 2020, Iowa overhauled their animal cruelty code and now requires courts to order psychological evaluations in cases involving animal torture or juveniles and explicitly permits courts to order evaluations in other animal cruelty cases. Also this year, the Northern Mariana Islands enacted their first animal protection laws and now permit courts to order convicted offenders to participate in animal cruelty prevention programs or psychological counseling.
Sexual Assault

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. Thirteen states have antiquated laws which prohibit vague, undefined crimes such as the “abominable crime against nature,” or otherwise fail to adequately define the crime. 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 2020, five states strengthened their laws addressing sexual assault of animals. In particular, Wisconsin completely overhauled their bestiality law, providing comprehensive definitions and elevating the crime from a misdemeanor to a felony.
### “BEST FIVE” STATES

<table>
<thead>
<tr>
<th>SELECT PROVISIONS</th>
<th>MAINE</th>
<th>ILLINOIS</th>
<th>OREGON</th>
<th>COLORADO</th>
<th>RHODE ISLAND</th>
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<tbody>
<tr>
<td>Felony penalties available: Cruelty (C), Neglect (N), Fighting (F), Abandonment (A), Sexual Assault (S)</td>
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<td>Full range of statutory protections (cruelty, neglect, abandonment, sexual assault, fighting)</td>
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<td>Courts may order forfeiture of abused animals</td>
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<td>Mandatory forfeiture of animals upon conviction</td>
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<td>Animals may be included in domestic violence protective orders</td>
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<td>❌</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
</tr>
<tr>
<td>Animals may be included in domestic violence protective orders</td>
<td>❌</td>
<td>❌</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
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<tr>
<td>Courtroom Animal Advocate Program</td>
<td>❌</td>
<td>❌</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
</tr>
<tr>
<td>&quot;Hot car&quot; law</td>
<td>❌</td>
<td>❌</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
</tr>
<tr>
<td>Animal cruelty is an abatable civil nuisance</td>
<td>❌</td>
<td>❌</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
</tr>
</tbody>
</table>

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*Limited to select species or crimes
**Ag-Gag statute
◊ Unconstitutional statute

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20 U.S. STATE ANIMAL PROTECTION LAWS RANKINGS REPORT

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### Courtroom Animal Advocate Program

**Stronger felony provisions for neglect**

**Felony penalties for cruelty, neglect, fighting, and abandonment**

**Inclusive definition of “animal”**

**Thorough definitions/standards of basic care**

**Increased penalties for repeat animal abusers**

**Limited pre-sentence mental health evaluations**

**Permissive court order for counseling/anger management**

**Protective orders may include animals**

**Court may order cost recovery measures on conviction**

**Mandatory restrictions on future ownership or possession of animals following a conviction**

**Mandatory reporting of animal cruelty by veterinarians**

**Mandatory reporting of suspected aggravated animal cruelty by veterinarians**

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### Felony penalties for cruelty, neglect, fighting, abandonment, and sexual assault

- **Inclusive definition of “animal”**
- **Adequate definitions/standards of basic care**
- **Increased penalties for repeat animal abusers**
- **Mental health evaluations prior to sentencing**
- **Mandatory counseling/anger management for certain offenders**
- **Protective orders may include animals**
- **Some mandatory cost-recovery measures for impounded animals**
- **Pre-conviction forfeiture allowed**
- **Court may order forfeiture of animals on conviction**
- **Court may order restrictions on future ownership or possession of animals upon conviction**
- **Mandatory reporting of suspected animal cruelty by veterinarians**
- **Law enforcement officers may rescue animals trapped in hot cars**

### More comprehensive definitions/standards of basic care

- **Mandatory cost mitigation & recovery measures for impounded animals and restitution upon conviction**
- **Mandatory forfeiture of an animal upon conviction**
- **Mandatory reporting of suspected animal cruelty by select non-animal-related agencies**
- **Mandatory reporting of all suspected animal cruelty by veterinarians**
- **Felony penalty on first-offense sexual assault**
- **Mandatory restrictions on future ownership or possession of animals following a conviction**
- **Mandatory reporting of suspected aggravated animal cruelty by veterinarians**

### Stronger felony provisions for neglect and abandonment

- **Animal fighting as RICO (Racketeer Influenced and Corrupt Organization) predicate offense**
- **Court may order cost recovery measures on conviction**
- **Animal cruelty declared an abatable nuisance**
- **Courtroom Animal Advocate Program**
- **Animal cruelty as an abatable nuisance**
- **Court-calendar priority when animals are in custody**
- **Immunity for civilians rescuing animals from hot cars**
- **Mandatory restrictions on future ownership or possession of animals following a conviction**
- **Mandatory reporting of suspected animal cruelty by veterinarians**
- **Law enforcement officers may rescue animals trapped in hot cars**

### Animal cruelty as an abatable nuisance

- **Court permitted to order forfeiture of animals pre- and post-conviction**
- **Animal fighting as RICO (Racketeer Influenced and Corrupt Organization) predicate offense**
- **Court may order restrictions on future ownership or possession of animals upon conviction**
- **Mandatory reporting of suspected animal cruelty by veterinarians**
- **Law enforcement officers may rescue animals trapped in hot cars**

### Mandatory reporting of suspected animal cruelty by veterinarians

- **Animal fighting as RICO (Racketeer Influenced and Corrupt Organization) predicate offense**
- **Court may order restrictions on future ownership or possession of animals upon conviction**
- **Mandatory reporting of suspected animal cruelty by veterinarians**
- **Law enforcement officers may rescue animals trapped in hot cars**

### Mandatory reporting of suspected animal cruelty by veterinarians

- **Animal fighting as RICO (Racketeer Influenced and Corrupt Organization) predicate offense**
- **Court may order restrictions on future ownership or possession of animals upon conviction**
- **Mandatory reporting of suspected animal cruelty by veterinarians**
- **Law enforcement officers may rescue animals trapped in hot cars**

### Mandatory restrictions on future ownership or possession of animals following a conviction

- **Mandatory restrictions on future ownership or possession of animals following a conviction**
- **Mandatory reporting of suspected animal cruelty by veterinarians**
- **Law enforcement officers may rescue animals trapped in hot cars**

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**1 | MAINE**

**EXISTING STRENGTHS**

- Courtroom Animal Advocate Program
- Felony penalties for cruelty, neglect, fighting, and abandonment
- Inclusive definition of “animal”
- Thorough definitions/standards of basic care
- Increased penalties for repeat animal abusers
- Limited pre-sentence mental health evaluations
- Permissive court order for counseling/anger management
- Protective orders may include animals
- Court may order cost recovery measures on conviction
- Court permitted to order forfeiture of animals pre- and post-conviction
- Mandatory restrictions on future ownership or possession of animals following a conviction
- Permissive reporting of animal cruelty by select non-animal-related agencies
- Mandatory reporting of suspected aggravated animal cruelty by veterinarians

**POTENTIAL IMPROVEMENTS**

- Stronger felony provisions for neglect
- Increased penalties for crimes involving multiple animals, offenders with prior domestic violence offenses, and when abuse is committed in the presence of a minor
- Mandatory cost mitigation & recovery measures for impounded animals and restitution upon conviction
- Mandatory forfeiture of an animal upon conviction
- Mandatory reporting of suspected animal cruelty by select non-animal-related agencies
- Mandatory reporting of all suspected animal cruelty by veterinarians
- Felony penalty on first-offense sexual assault
- Stronger animal fighting provisions
- Animal fighting as RICO (Racketeer Influenced and Corrupt Organization) predicate offense
- Animal cruelty as an abatable nuisance
- Mandatory restrictions on future ownership or possession of animals following a conviction
- Mandatory reporting of suspected animal cruelty by veterinarians
- Law enforcement officers may rescue animals trapped in hot cars

**2 | ILLINOIS**

**EXISTING STRENGTHS**

- Felony penalties for cruelty, neglect, fighting, abandonment, and sexual assault
- Inclusive definition of “animal”
- Adequate definitions/standards of basic care
- Increased penalties for repeat animal abusers
- Mental health evaluations prior to sentencing
- Mandatory counseling/anger management for certain offenders
- Protective orders may include animals
- Some mandatory cost-recovery measures for impounded animals
- Pre-conviction forfeiture allowed
- Court may order forfeiture of animals on conviction
- Court may order restrictions on future ownership or possession of animals upon conviction
- Mandatory reporting of suspected animal cruelty by veterinarians
- Law enforcement officers may rescue animals trapped in hot cars

**POTENTIAL IMPROVEMENTS**

- More comprehensive definitions/standards of basic care
- Stronger felony provisions for neglect and abandonment
- Increased penalties for offenders with prior domestic violence offenses
- Broader cost mitigation & recovery measures
- Mandatory forfeiture of any type of animal upon conviction
- Mandatory restrictions on future ownership or possession of animals following a conviction
- Animal fighting as RICO (Racketeer Influenced and Corrupt Organization) predicate offense
- Court-calendar priority when animals are in custody
- Courtroom Animal Advocate Program
- Animal cruelty declared an abatable nuisance
- Immunity for civilians rescuing animals from hot cars

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**“BEST FIVE” STATES**

**MAINE**

- Courtroom Animal Advocate Program
- Felony penalties for cruelty, neglect, fighting, and abandonment
- Inclusive definition of “animal”
- Thorough definitions/standards of basic care
- Increased penalties for repeat animal abusers
- Limited pre-sentence mental health evaluations
- Permissive court order for counseling/anger management
- Protective orders may include animals
- Court may order cost recovery measures on conviction
- Court permitted to order forfeiture of animals pre- and post-conviction
- Mandatory restrictions on future ownership or possession of animals following a conviction
- Permissive reporting of animal cruelty by select non-animal-related agencies
- Mandatory reporting of suspected aggravated animal cruelty by veterinarians

**ILLINOIS**

- Felony penalties for cruelty, neglect, fighting, abandonment, and sexual assault
- Inclusive definition of “animal”
- Adequate definitions/standards of basic care
- Increased penalties for repeat animal abusers
- Mental health evaluations prior to sentencing
- Mandatory counseling/anger management for certain offenders
- Protective orders may include animals
- Some mandatory cost-recovery measures for impounded animals
- Pre-conviction forfeiture allowed
- Court may order forfeiture of animals on conviction
- Court may order restrictions on future ownership or possession of animals upon conviction
- Mandatory reporting of suspected animal cruelty by veterinarians
- Law enforcement officers may rescue animals trapped in hot cars

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**U.S. STATE ANIMAL PROTECTION LAWS RANKINGS REPORT**

**ANIMAL LEGAL DEFENSE FUND | aldf.org**
### “BEST FIVE” STATES

#### 3 | OREGON

<table>
<thead>
<tr>
<th><strong>EXISTING STRENGTHS</strong></th>
<th><strong>POTENTIAL IMPROVEMENTS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Felony penalties for cruelty, neglect, and fighting</td>
<td>Felony penalties for abandonment</td>
</tr>
<tr>
<td>Thorough definitions/standards of basic care</td>
<td>Broader pre-sentence mental health evaluations</td>
</tr>
<tr>
<td>Inclusive definition of “animal”</td>
<td>Mandatory cost mitigation &amp; recovery measures for impounded animals</td>
</tr>
<tr>
<td>Increased penalties for repeat animal abusers, repeat domestic violence offenders, when abuse committed in the presence of a minor, and cases involving multiple animals</td>
<td>Mandatory forfeiture on conviction</td>
</tr>
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<td>Limited pre-sentence mental health evaluations</td>
<td>Mandatory reporting of suspected animal cruelty by select non-animal-related agencies</td>
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<tr>
<td>Permissive court order for counseling/anger management</td>
<td>Mandatory reporting of all suspected animal cruelty by veterinarians</td>
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<tr>
<td>Protective orders may include animals</td>
<td>Court-calendar priority when animals are in custody</td>
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<tr>
<td>Court may order cost mitigation &amp; recovery measures for impounded animals</td>
<td>Courtroom Animal Advocate Program</td>
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<td>Court may order forfeiture of animals on conviction</td>
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<tr>
<td>Mandatory restrictions on future ownership or possession of animals upon conviction</td>
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<tr>
<td>Mandatory reporting of suspected aggravating animal cruelty by veterinarians</td>
<td></td>
</tr>
<tr>
<td>Peace officers have an affirmative duty to enforce animal protection laws</td>
<td></td>
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<tr>
<td>Animal fighting is a predicate offense under state RICO (Racketeer Influenced and Corrupt Organization) laws</td>
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<tr>
<td>Strong animal fighting provisions</td>
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<tr>
<td>Comprehensive sexual assault of animals law</td>
<td></td>
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<tr>
<td>Animal cruelty is an abatable nuisance</td>
<td></td>
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<tr>
<td>Civilians have civil immunity for rescuing animals trapped in unattended vehicles</td>
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</tbody>
</table>

### “BEST FIVE” STATES

#### 4 | COLORADO

<table>
<thead>
<tr>
<th><strong>EXISTING STRENGTHS</strong></th>
<th><strong>POTENTIAL IMPROVEMENTS</strong></th>
</tr>
</thead>
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<td>Felony penalties for cruelty, neglect, fighting, and abandonment</td>
<td></td>
</tr>
<tr>
<td>Inclusive definition of “animal”</td>
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<tr>
<td>Adequate definitions/standards of basic care</td>
<td></td>
</tr>
<tr>
<td>Increased penalties for repeat animal abusers</td>
<td></td>
</tr>
<tr>
<td>Mandatory forfeiture on conviction</td>
<td></td>
</tr>
<tr>
<td>Mandatory mental health evaluation following a conviction, statutes recognize that mental health treatment should target root causes of the offense</td>
<td></td>
</tr>
<tr>
<td>Protective orders may include animals</td>
<td></td>
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<tr>
<td>Court may order cost recovery measures on conviction</td>
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<tr>
<td>Pre-conviction forfeiture allowed</td>
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<tr>
<td>Court may order forfeiture of animals on conviction</td>
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<tr>
<td>Courtroom Animal Advocate Program</td>
<td></td>
</tr>
<tr>
<td>Permissive reporting of animal cruelty by select non-animal-related agencies</td>
<td></td>
</tr>
<tr>
<td>Mandatory reporting of suspected animal cruelty by veterinarians</td>
<td></td>
</tr>
<tr>
<td>Animal fighting as RICO (Racketeer Influenced and Corrupt Organization) predicate offense</td>
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<td>Mandatory restrictions on future ownership or possession of animals following a conviction</td>
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<tr>
<td>Mandatory cost mitigation &amp; recovery measures for impounded animals and restitution upon conviction</td>
<td></td>
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</tbody>
</table>
### Rhode Island

<table>
<thead>
<tr>
<th><strong>Existing Strengths</strong></th>
<th><strong>Potential Improvements</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Felony penalties for cruelty, neglect, abandonment, sexual assault, and fighting</td>
<td>Increased penalties when abuse committed in the presence of a minor</td>
</tr>
<tr>
<td>Principal protections apply to most animals</td>
<td>Mandatory mental health evaluation and/or counseling</td>
</tr>
<tr>
<td>Full range of statutory protections</td>
<td>Include animals in protective orders</td>
</tr>
<tr>
<td>Mandatory forfeiture of animals who were seized by Rhode Island SPCA upon conviction</td>
<td>Mandatory forfeiture of animals who were seized by law enforcement or animal control upon conviction</td>
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<tr>
<td>Peace officers have an affirmative duty to enforce animal protection laws</td>
<td>Mandatory seizure of abused animals</td>
</tr>
<tr>
<td>Humane agents have broad law enforcement authority</td>
<td>Court-calendar priority when animals are in custody</td>
</tr>
<tr>
<td>Permissive post-conviction ownership and possession ban</td>
<td>Animal fighting as RICO (Racketeer Influenced and Corrupt Organization) predicate offense</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Potential Improvements</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mandatory restitution</td>
</tr>
<tr>
<td>Permissive court order for counseling/anger management</td>
</tr>
<tr>
<td>Mandatory post-conviction cost of care</td>
</tr>
<tr>
<td>Prohibits breed-specific legislation</td>
</tr>
<tr>
<td>Mandatory post-conviction ownership and possession ban</td>
</tr>
</tbody>
</table>
Care requirements (such as what constitutes adequate food, water, and shelter) are not well-defined

No felony provisions for animal abandonment or neglect

Social services agencies or departments are not required to report suspected animal cruelty

No statutorily authorized sentencing to mental health evaluation or treatment

Cockfighting is a misdemeanor resulting in a maximum $50 fine

Sexual assault of an animal is a misdemeanor

Though veterinarians are required to report suspected animal cruelty under state administrative regulations, there is no such requirement in the statutory code and veterinarians do not have civil immunity for reporting

No statutory authority to allow protective orders to include animals

Only statute permitting pre-conviction forfeiture of victim animals has been held unconstitutional and not been remedied

No mandatory forfeiture of cruelly treated animals after conviction

No mandatory possession bans restricting convicted offenders from owning or residing with animals

Has an Ag-Gag law

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

Mandatory forfeiture of animals upon conviction only available for select animals

Pre-conviction restitution only available for select animals

Restictions 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
**MAJOR AREAS NEEDING IMPROVEMENT**

- Care requirements (such as what constitutes adequate food, water, and shelter) are not well-defined
- No requirement to provide necessary veterinary care
- No felony provisions for animal abandonment or neglect
- No statutorily authorized post-conviction possession bans
- No statutory authority to allow protective orders to include animals
- Statute prohibiting sexual assault of an animal is vague and antiquated
- Social services agencies or departments are not required to report suspected animal cruelty
- Veterinarians are not required to report suspected animal cruelty

**“WORST FIVE” STATES**

- Idaho
- 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 prohibition on sexually assaulting an animal

Has an Ag-Gag law
MAJOR AREAS NEEDING IMPROVEMENT

Definition of “animal” excludes reptiles and uncaptured wild animals

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, for repeat domestic violence offenders, or for cases involving multiple animals

No statutory authority to allow protective orders to include animals

No provisions for possession or ownership bans after a conviction

Social services agencies or departments are not required to report suspected animal cruelty

Veterinarians are not required to report suspected animal cruelty

No prohibition on sexually assaulting an animal

METHODOLOGY SUMMARY

The 56 jurisdictions included in the 2020 U.S. Animal Protection Laws Rankings Report were numerically ranked based on their cumulative scores to 49 study questions covering 20 distinct animal protection law 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 compendium Animal Protection Laws of the United States (Fifteenth Edition). The study questions were closed-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 & Racketeering
5. Sexual Assault
6. Cruelty to Working Animals

PROCEDURAL MATTERS
7. Maximum Penalties & Statute of Limitations
8. Cross-Enforcement & Reporting
9. Veterinarian Reporting & Immunity
10. Law Enforcement Policies
11. Seizure
12. Courtroom Animal Advocate Program
13. Protection Orders
14. Restitution
15. Forfeiture & Possession Bans
16. Mental Health Treatment Sentencing

MISCELLANEOUS PROVISIONS
17. Hot Cars
18. Civil Nuisance Abatement
19. Ag-Gag Laws
20. Breed-Specific Legislation

NEW CATEGORY
This year we added one new category, addressing “Cruelty to Working Animals,” such as police animals or service animals. Such laws were previously placed in the “General Cruelty” section. The new category was created in order to separate out those laws applicable to working animals, making our state and territory Compendiums of animal protection laws more user-friendly. The addition of the new categorization did not affect the study questions or scoring used to rank states and territories.