



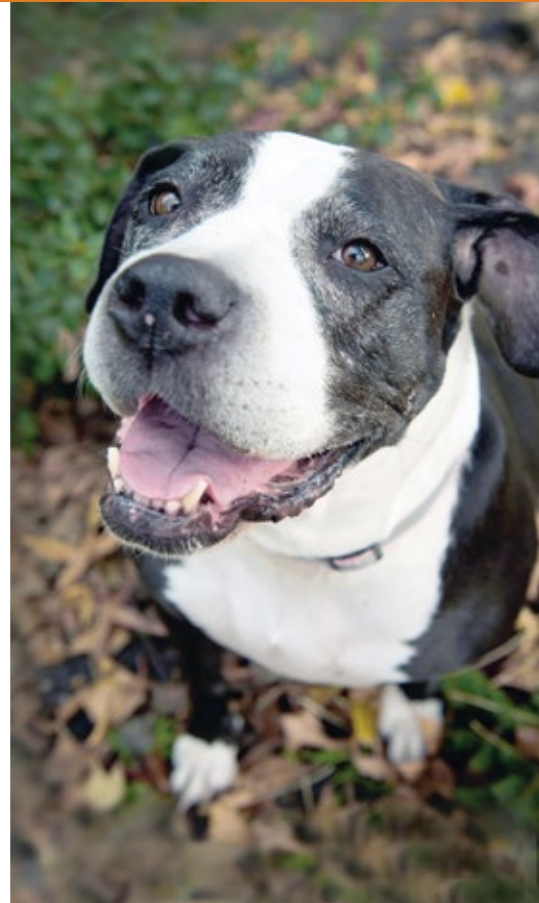
**ANIMAL LEGAL
DEFENSE FUND**

ANIMAL PROTECTION

U.S. STATE ANIMAL PROTECTION LAWS RANKING REPORTSM

2021

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 across the country on animal cruelty cases.



U.S. STATE ANIMAL PROTECTION LAWS STATE RANKINGS REPORTSM

The Animal Legal Defense Fund has published the 16th 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 20 different categories of animal protection.

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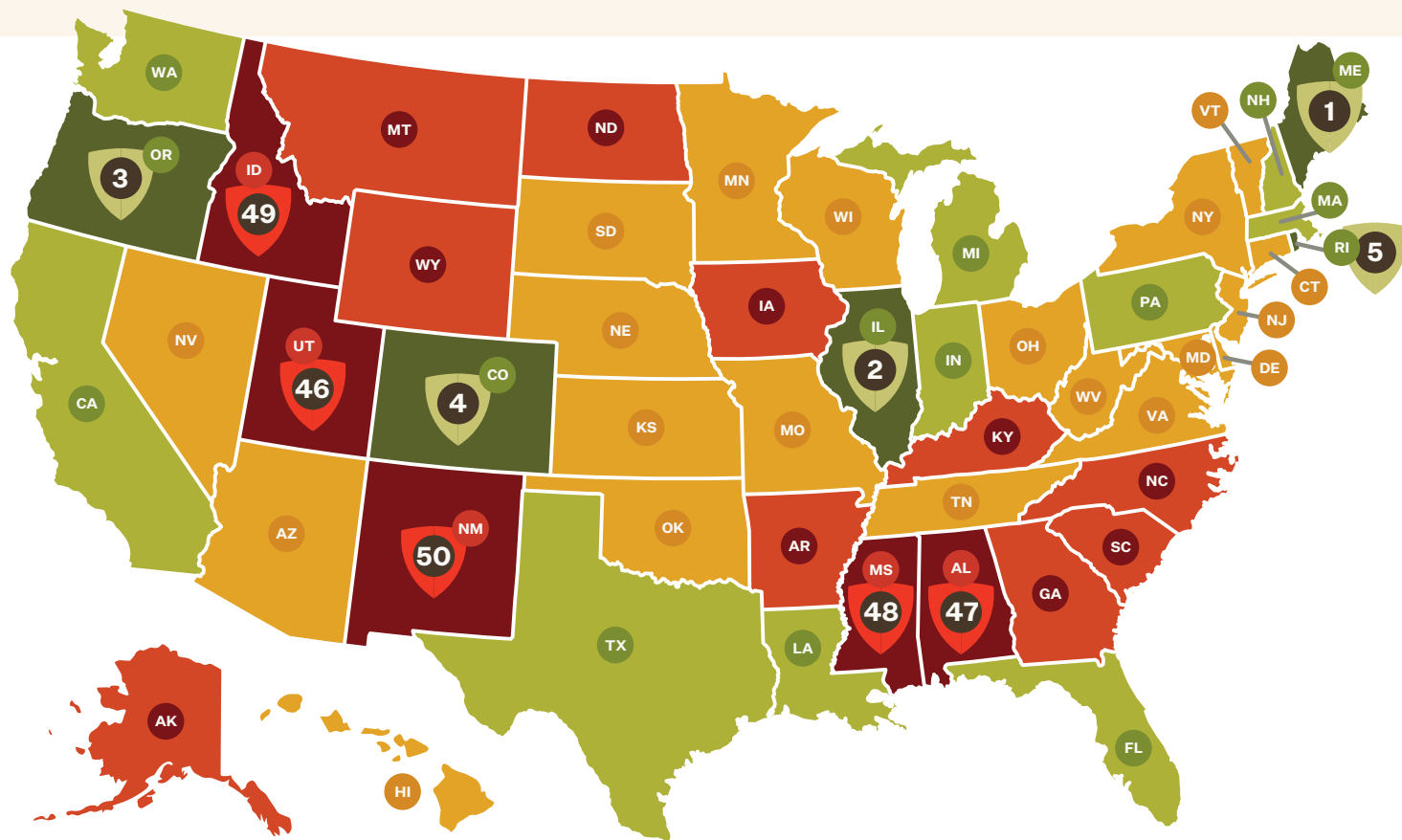
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ANIMAL PROTECTION LAWS: 2021 STATE RANKINGS

The Animal Legal Defense Fund's 16th annual U.S. State Animal Protection Laws Rankings ReportSM 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.

The longest-running, most authoritative report of its kind, it tracks which states are taking the lead to improve animal protection laws and which are falling behind. This year, Maine maintains its number 1 spot and New Mexico remains at the bottom of the list for the second year in a row.



RANKINGS BEST TO WORST:

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

Territories

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

aldf.org/staterankings





ANALYSIS

ANNUAL STUDY RANKS LAWS ACROSS THE COUNTRY

JANUARY 2021

The Animal Legal Defense Fund announces the publication of the 2021 U.S. State Animal Protection Laws Rankings ReportSM. 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. This year, Maine maintains its top rank, having the nation's strongest animal protection laws for the second year in a row, followed by (2) Illinois, (3) Oregon, (4) Colorado, and (5) Rhode Island. New Mexico, also for a second year in a row, ranks last, having the country's weakest animal protection laws on the books, followed closely by (49) Idaho, (48) Mississippi, (47) Alabama, and (46) Utah. The two most improved jurisdictions were Hawaii and Guam, with Guam rising to the top of the U.S. territories' rankings. The main trends this year were cross-reporting, veterinary reporting, and increased requirements for humane officer certification.

INTRODUCTION

MAINE

MAINTAINS ITS
TOP RANK

NEW MEXICO

RANKED LAST FOR
SECOND YEAR
IN A ROW

MOST IMPROVED

HAWAII AND GUAM

NEW TRENDS

CROSS REPORTING
AND TRAINING FOR
HUMANE OFFICERS

MAINE MAINTAINS ITS TOP RANK

Maine rose to the top rank in 2020 and remains there in 2021, surpassing the previous titleholder, Illinois. In the 16 years the Animal Legal Defense Fund has published the report, Maine has always ranked in the top tier. It achieved this rank in part due to its extremely comprehensive animal neglect laws. Maine's law has the most detailed definitions in the country for what constitutes adequate food, water, shelter, and care of animals. This helps ensure neglect laws are consistently enforced because it removes ambiguity for both law enforcement and animal guardians.

Never one for complacency, Maine has also demonstrated a commitment to steadily improving their animal protection laws each year. That commitment led to Maine finally usurping Illinois in 2020, when it passed a law creating a Courtroom Animal Advocate Program (CAAP). These laws allow a third party to advocate for the interests of an animal victim in an animal cruelty case. Maine is only the second state in the country to pass a CAAP law, following Connecticut, making the state a pioneer in cutting-edge animal protection laws.

NEW MEXICO RANKED LAST FOR SECOND YEAR IN A ROW

While Maine strives to consistently improve their laws, New Mexico has remained stagnant. That stagnancy caused New Mexico to sink to the bottom of our rankings in 2020 and remains there in 2021. There are a number of aspects of New Mexico's laws that are outdated — one of the major ones being its narrow definition of the word "animal." Under New Mexico statutes and its case law, reptiles and uncaptured wild animals are not considered "animals" for the purpose of animal protection laws, meaning those two categories of animals are simply left unprotected. Another major issue with New Mexico's laws is that it is one of just two remaining states that still have not criminalized sexual assault of animals.





MOST IMPROVED: HAWAII AND GUAM

This year the two most improved jurisdictions were Hawaii and Guam. Both jurisdictions significantly improved their laws and, correspondingly, their ranks. Hawaii rose 12 ranks, from 39th place to 27th place of the 50 states. The six inhabited U.S. territories are ranked separately; this year Guam rose from fourth to first place.

Hawaii rose thanks in large part to their new law prohibiting the sexual assault of animals. Previously, Hawaii was one of a handful of states that still had not criminalized the sexual assault of animals. This year, the state enacted a comprehensive law which not only criminalized bestiality, but also addressed related offenses such as the recording and distribution of recordings of sexual assault of an animal. The new law also contains thorough sentencing provisions, including requiring psychological evaluations and, if necessary, treatment for convicted offenders. Furthermore, the law prohibits convicted offenders from owning, possessing, residing with, or working alongside any animals for a minimum of five years. Another change that caused Hawaii to significantly improve was

the passage of a law requiring veterinarians to report suspected animal cruelty. Previously, veterinarians in the state were permitted, but not required to report. The new law also grants veterinarians civil immunity for reporting in good faith, shielding them from retaliatory lawsuits.

“Mandatory psychological evaluations help to rehabilitate offenders and therefore prevent future animals from being victimized, though right now Hawaii only requires evaluations in cases of sexual assault of animals, we hope to see Hawaii expand the use of these tools to address all types of animal cruelty crimes.”

Kathleen Wood
Animal Legal Defense Fund
Staff Attorney

Guam rose to first place of the territories by completely revamping their animal protection laws, relying heavily on the Animal Legal Defense Fund's Model Animal Protection Laws to do so. Some of the changes Guam made were subtle acknowledgments of animal sentience. For example, its laws now refer to humans as animals' "guardians" rather than "owners." The territory also changed the definition of animal "suffering" to include mental and emotional distress.

In addition to the acknowledgments of sentience, Guam also advanced their laws in more overt ways. For example, like Hawaii, Guam also criminalized the sexual assault of animals for the first time. Furthermore, Guam enacted extensive pre-trial procedures for assuring the care of seized animals, including creating a "bond-or-forfeit" system, which requires the defendant to post a bond covering the animal's costs of care or forfeit the animal. These laws assure that jurisdictions can afford to treat and care for abused animals, and allows those jurisdictions to adopt out the animals to new homes more quickly.

"Intuitively, we know animals are living, feeling creatures – not objects. Despite this concept being foundational to modern cruelty law, many laws still treat animals as things. As laws improve, seemingly small – but incredibly significant – changes are starting to untangle those inconsistencies, for example, laws that define 'animal suffering' as including not just physical damage but also the sort of emotional distress often experienced by neglected or abused animals reaffirm that animals are not 'somethings,' but 'someones' who can recover when provided with appropriate physical and behavioral care."

David Rosengard
Animal Legal Defense Fund
Managing Attorney





NEW TREND: CROSS-REPORTING AND VETERINARY REPORTING

In 2021, a new trend was the creation and strengthening of cross-reporting laws and veterinary reporting laws. Cross-reporting refers to laws which explicitly permit or require cross-reporting between various animal and human welfare organizations, such as requiring humane officers to report suspected child abuse, or requiring elder protective service workers to report suspected animal cruelty. These laws recognize and respond to “The Link” between animal cruelty and interpersonal violence. The Link refers to the correlation between animal cruelty and interpersonal violence, particularly domestic abuse, child abuse, and elder abuse. For more information, visit aldf.org/thelink.

In 2021, Florida, Ohio, and Guam all enacted comprehensive cross-reporting laws. Florida and Ohio both now require social service workers to report suspected animal cruelty — a requirement which historically has been rare. Veterinary reporting, as the name suggests, refers to laws requiring veterinarians to report suspected cruelty, and/or giving them civil immunity for reporting in good faith. In 2021, Hawaii made it mandatory for veterinarians

to report suspected animal cruelty, while New York and Ohio passed laws requiring veterinarians to report suspected cruelty to companion animals.

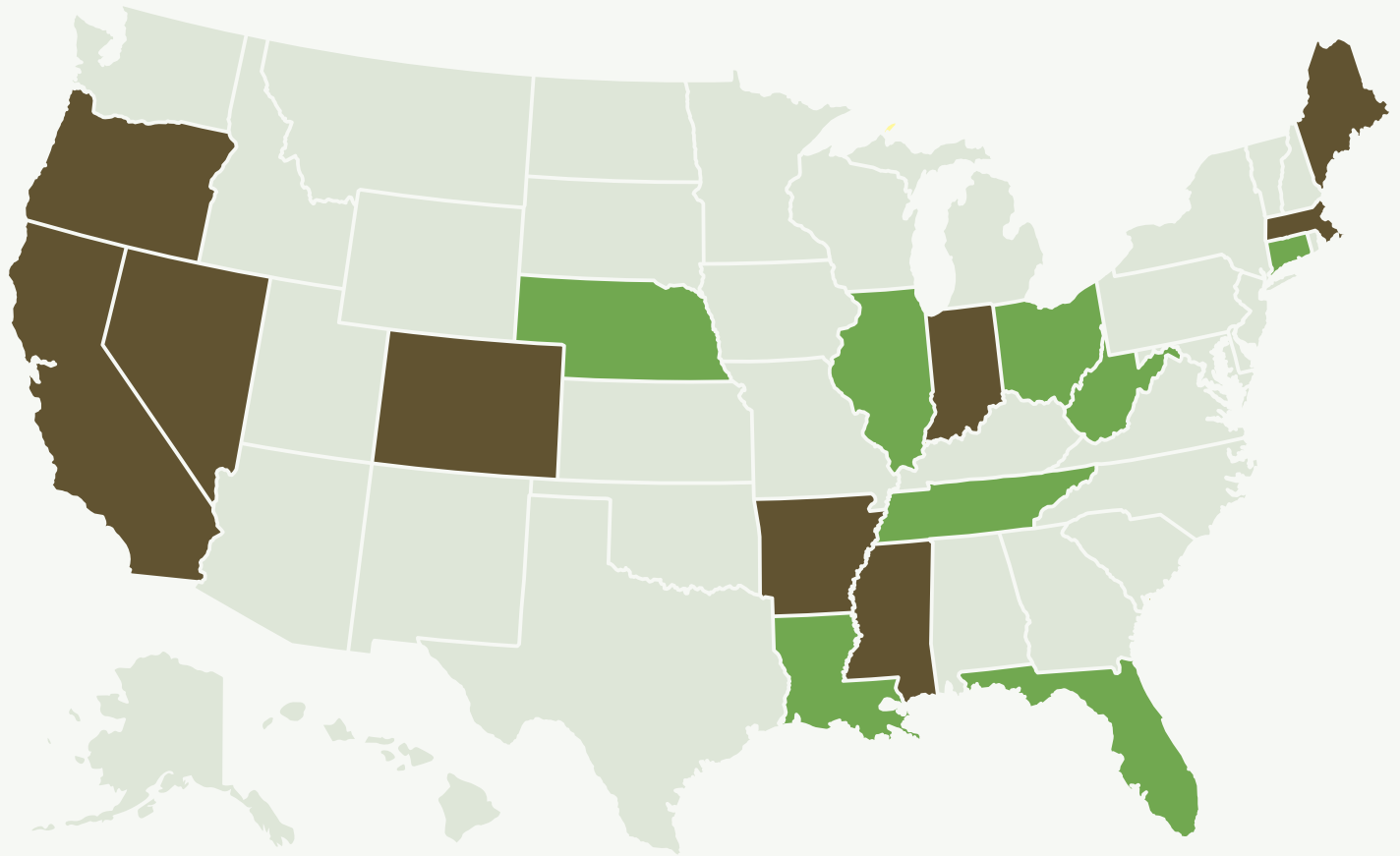
“Animal victims can’t speak for themselves, so it’s absolutely vital that frontline workers who are most likely to witness animal cruelty in the community — like veterinarians and social service workers — are not only empowered, but required to report animal cruelty to the authorities. We’re thrilled to see more states taking the important step of not just allowing, but mandating that these stakeholders report animal abuse and neglect, for the sake of the animal victims.”

Lora Dunn

Animal Legal Defense Fund
Criminal Justice Program Director



SOCIAL SERVICE WORKER REPORTING

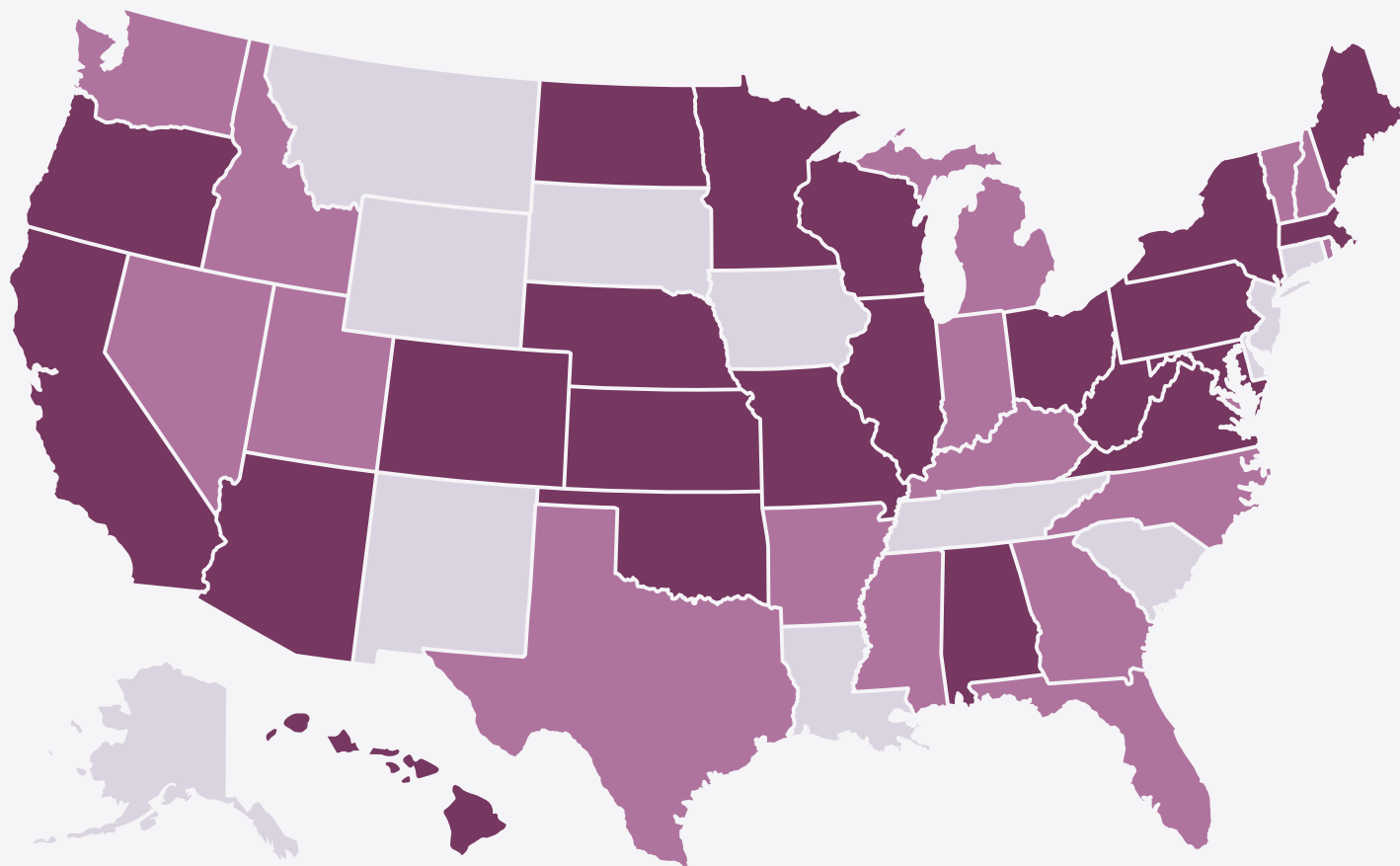


SOCIAL SERVICE WORKER REPORTING ANIMAL CRUELTY

- REQUIRE (ALSO DC AND GUAM)
- PERMIT AND GRANT
- NO REPORTING LAW

As of 2021, only 17 states and two territories have laws addressing cross-reporting of animal cruelty. Eight states, along with Guam and the District of Columbia, require certain social service workers to report suspected animal cruelty. An additional nine states have laws that explicitly permit such professionals to report suspected animal cruelty and/or that grant such professionals civil immunity for reports made in good faith. That leaves 33 states and four territories that do not have any laws addressing social service workers reporting suspected animal cruelty.

VETERINARY REPORTING



VETERINARY REPORTING OF ANIMAL CRUELTY

- REQUIRE (WITH OR WITHOUT IMMUNITY)
- PERMIT AND GRANT
- NO REPORTING LAW

As of 2021, nearly half of all states require veterinarians to report suspected animal cruelty. In several of those states, that requirement to report is limited to certain types of animal cruelty — usually aggravated cruelty like torture or animal fighting. Most of those states that require veterinarians to report also grant civil immunity to veterinarians for reports made in good faith, shielding them from retaliatory lawsuits. An additional 16 states either explicitly permit veterinarians to report animal cruelty and/or grant veterinarians civil immunity for reports made in good faith. Twelve states do not have any laws addressing veterinarians reporting animal cruelty, which in effect means veterinarians are permitted, but not required, to report in those states.

NEW TREND: HUMANE OFFICER CERTIFICATION

Another new trend in 2021 was the enactment of laws detailing requisite training and certification for humane officers with law enforcement authority. Three states, Maryland, Ohio, and Vermont, passed such laws in 2021. This is a burgeoning trend that is likely to be repeated throughout the country.

Most animal protection laws date back to the early 1900s. Although all states have updated their laws over the years, many archaic provisions still persist. Laws governing humane society duties and authority are often overlooked when updating cruelty laws. Outdated versions of these laws will broadly declare that humane societies, or organizations that exist in order to protect animals, may enforce animal protection laws. Unfortunately, the boundaries of these enforcement authorities are not always clear. The law is vague when declaring who has the authority to apply for search warrants, to seize animal cruelty victims, and to arrest offenders. The training and certification process for people with these enforcement powers is also left unspecified. Many jurisdictions manage to compensate for this lack of structure by building in their own standard practices and policies.

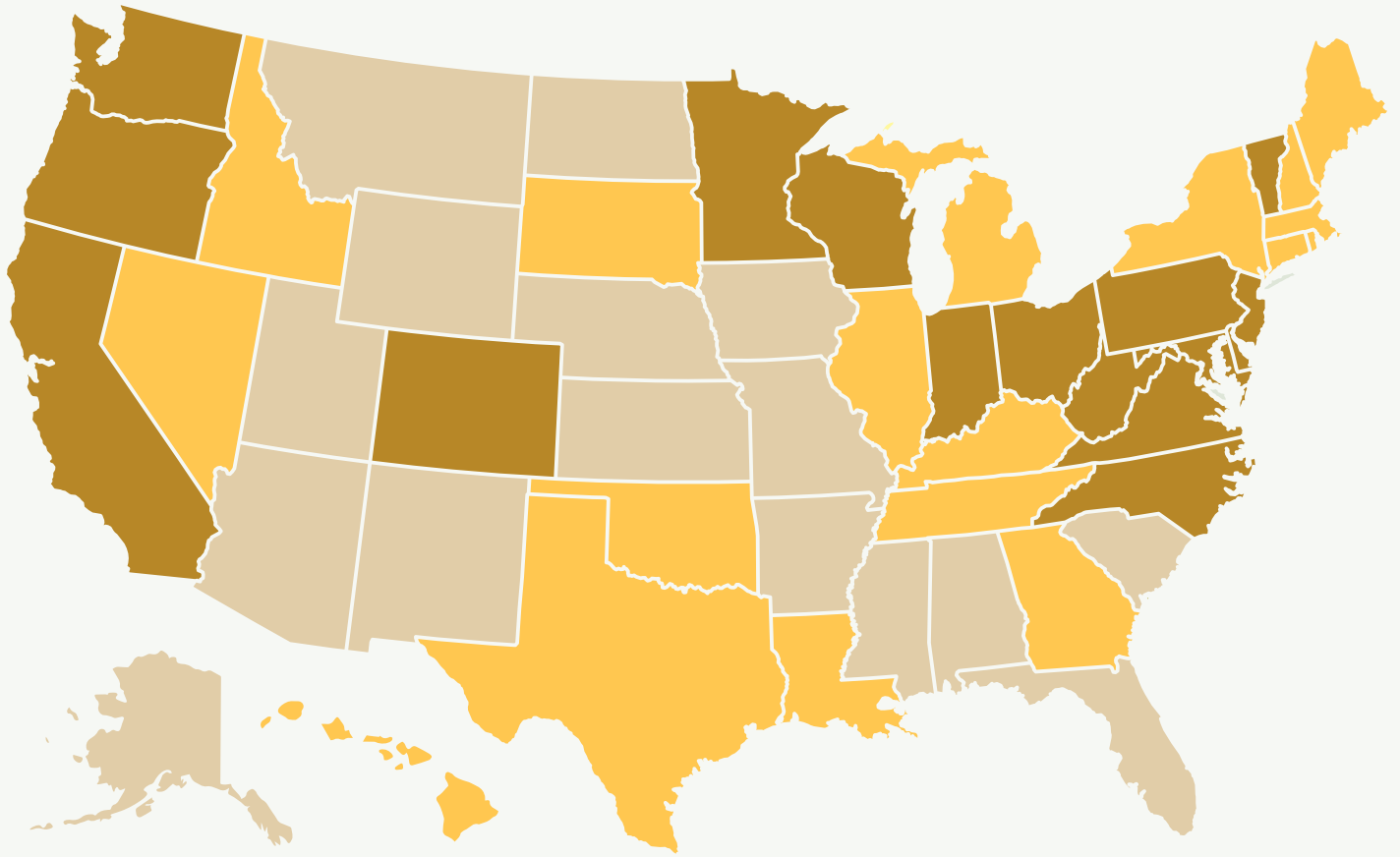
In order to remedy these issues, states have slowly but steadily begun passing laws that detail the training a humane officer must receive, the certification process, and the scope of the officer's law enforcement authority.

“Improvised local policies and practices for training and certification of humane officers may work well as a stopgap measure, but they unfortunately create inconsistencies between states and even individual counties. They also give rise to due process concerns that could threaten a prosecutor’s ability to hold animal cruelty offenders accountable.”

Kathleen Wood
Animal Legal Defense Fund
Staff Attorney



DEPUTIZING HUMANE OFFICERS



LAWS THAT DEPUTIZE HUMANE OFFICERS

- REQUIRE TRAINING STANDARDS AND DEFINE ENFORCEMENT POWERS
- ONLY DEFINE ENFORCEMENT POWERS
- VAGUE OR NO LAWS REGARDING HUMANE OFFICERS

As of 2021, 16 states have laws that both define the enforcement powers of humane officers and require minimum training requirements for such officers. An additional 18 states have laws defining humane officer's law enforcement powers — such as granting those officers the authority to search property, seize animals, and arrest animal abusers — but those states' laws do not specify what kind of training is required for those humane officers. Finally, 16 states have only vague laws referencing humane officers or have no state-level laws addressing humane officers.

“BEST FIVE” STATES

SELECT PROVISIONS	1 MAINE	2 ILLINOIS	3 OREGON	4 COLORADO	5 RHODE ISLAND
Felony penalties available: Cruelty (C), Neglect (N), Fighting (F), Abandonment (A), Sexual Assault (S)	C, N, F, A	C, N, F, A, S	C, N, F, S	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	●				
Laws that prohibit leaving an animal unattended in a vehicle in dangerous conditions, and which give law enforcement and/or concerned citizens the ability to rescue such animals when they are in distress	●*	●*	●*	●*	●
Animal cruelty is an abatable civil nuisance			●		

*Limited to select species or crimes

“WORST FIVE” STATES

SELECT PROVISIONS	46UTAH	47ALABAMA**	48MISSISSIPPI	49IDAHO**	50NEW MEXICO
Felony penalties available: Cruelty (C), Neglect (N), Fighting (F), Abandonment (A), Sexual Assault (S)	C*, F*	C, F*	C*, F*, S	F*, S	C, F*
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 pets 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					
Laws that prohibit leaving an animal unattended in a vehicle in dangerous conditions, and which give law enforcement and/or concerned citizens the ability to rescue such animals when they are in distress					
Animal cruelty is an abatable civil nuisance					

*Limited to select species or crimes

**Ag-Gag statute

◇ Unconstitutional statute

“BEST FIVE” STATES

1 | MAINE



EXISTING STRENGTHS

POTENTIAL IMPROVEMENTS

Courtroom Animal Advocate Program	Stronger felony provisions for neglect
Felony penalties for cruelty, neglect, fighting, and abandonment	Increased penalties for crimes involving multiple animals, offenders with prior domestic violence offenses, and when abuse is committed in the presence of a minor
Inclusive definition of “animal”	Mandatory cost mitigation and recovery measures for impounded animals, and restitution upon conviction
Thorough definitions/standards of basic care	Mandatory forfeiture of an animal upon conviction
Increased penalties for repeat animal abusers	Mandatory reporting of suspected animal cruelty by select non-animal-related agencies
Limited pre-sentence mental health evaluations	Mandatory reporting of all suspected animal cruelty by veterinarians
Permissive court order for counseling/anger management	Felony penalty on first-offense sexual assault
Protective orders may include animals	Stronger animal fighting provisions
Court may order cost recovery measures on conviction	Animal fighting as RICO (Racketeering Influenced and Corrupt Organization) predicate offense
Pre-conviction forfeiture allowed	Animal cruelty as an abatable nuisance
Court may order forfeiture on conviction	
Permissive reporting of animal cruelty by select non-animal related agencies	
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	

“BEST FIVE” STATES

2 | 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 (Racketeering Influenced and Corrupt Organization) 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	

“BEST FIVE” STATES

3 | 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”	Courtroom Animal Advocate Program
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 reporting of suspected animal cruelty by select non-animal-related agencies
Limited pre-sentence mental health evaluations	Mandatory forfeiture on conviction
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	Mandatory cost mitigation and recovery measures for impounded animals
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 (Racketeering Influenced and Corrupt Organization) 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	

“BEST FIVE” STATES

4 | 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 (Racketeering Influenced and Corrupt Organization) 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	

“BEST 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	Include animals in protective orders
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 officers have broad law enforcement authority	Court-calendar priority when animals are in custody
Permissive post-conviction ownership and possession ban	Animal fighting as RICO (Racketeering Influenced and Corrupt Organization) 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	



“WORST FIVE” STATES

46 | UTAH



MAJOR AREAS NEEDING IMPROVEMENT

Definition of “animal” excludes livestock, wild animals, and other categories

No felony provisions for animal abandonment or neglect

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

Veterinarians are not required to report suspected animal cruelty

No statutory authority to allow protective orders to include animals

No statute permitting pre-conviction forfeiture

Sexual assault of an animal is a misdemeanor

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 (which has been declared unconstitutional and is no longer enforceable)

“WORST FIVE” STATES

47 | ALABAMA



MAJOR AREAS NEEDING IMPROVEMENT

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

No statute permitting pre-conviction forfeiture

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

“WORST FIVE” STATES

48 | MISSISSIPPI



MAJOR AREAS NEEDING IMPROVEMENT

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

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

“WORST FIVE” STATES

49 | IDAHO



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 service agencies or departments are not required to report suspected animal cruelty

Veterinarians are not required to report suspected animal cruelty

Has an Ag-Gag law

“WORST FIVE” STATES

48 | NEW MEXICO



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, 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

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 2021 U.S. State Animal Protection Laws Rankings ReportSM 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 (Sixteenth 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
6. Cruelty to Working Animals

PROCEDURAL MATTERS

7. Maximum Penalties and Statute of Limitations
8. Cross-Enforcement and Reporting
9. Veterinarian Reporting and Immunity
10. Law Enforcement Policies
11. Seizure
12. Courtroom Animal Advocate Program (CAAP)
— Laws that allow the court to appoint a third party advocate to represent the interests of the victim animal.

13. Protection Orders
14. Restitution
15. Forfeiture and Possession Bans
16. Mental Health Treatment Sentencing

MISCELLANEOUS PROVISIONS

17. Hot Cars — Laws that prohibit leaving an animal unattended in a vehicle in dangerous conditions, and which give law enforcement and/or concerned citizens the ability to rescue such animals when they are in distress.
18. Civil Nuisance Abatement
19. Ag-Gag Laws
20. Breed-Specific Legislation



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