



2014 U.S. ANIMAL PROTECTION LAWS & RANKINGS

Comparing Overall Strength and Comprehensiveness

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2014 U.S. ANIMAL PROTECTION LAWS RANKINGS™

Animal Legal Defense Fund Annual Study Ranks Laws Across the Country

Animal cruelty now a felony in all 50 states

Trends include prohibitions on breed-specific legislation, reckless endangerment laws, protective orders

December 2014

The Animal Legal Defense Fund (ALDF) announces the publication of the 2014 U.S. ANIMAL PROTECTION LAWS RANKINGS REPORT, ALDF's ninth annual report that comprehensively surveys animal protection laws of all U.S. states and territories. The longest-running and most authoritative report of its kind, the RANKINGS REPORT assesses the strength of each jurisdiction's animal protection laws by examining over 4,000 pages of statutes.¹ Each jurisdiction receives a raw score based on fifteen different categories of animal protection; the REPORT then ranks all 56 jurisdictions by comparing their raw scores. The REPORT also highlights the top, middle, and bottom tiers of jurisdictions and notes the "Best Five" and "Worst Five" states overall.

This year, South Dakota rose out of its longstanding spot among the "Worst Five" states, in part, by passing a felony penalty for the most egregious cases of animal cruelty—the last state in the nation to enact such a provision—and by instituting a statewide ban on breed-specific legislation (or "BSL"). Maryland also rejected the notion that a dog should be deemed "dangerous" solely because of its breed in 2014. There are now 19 states that either prohibit municipalities from regulating or outlawing certain dogs based on breed alone, or otherwise require proof of a dog's supposed dangerous propensities beyond mere breed.

"Breed-specific legislation is hardly a 'quick-fix' to dangerous dog issues," says Scott Heiser, Director of ALDF's Criminal Justice Program. "It takes a nuanced approach to tackle dangerous dog problems, including educating and addressing reckless dog owners who put their dogs and the public at risk. Some breeds that have been unfairly targeted by these breed-specific laws, such as pit bulls, have proven to be extremely loyal and affectionate animals. Nearly half of all states now rightly recognize that blanket bans on breeds fail to remedy the issue of dangerous dogs—and actually harm dog owners and dogs themselves."

¹ See page 24 of the report for a summary of the methodology used.

The 2014 RANKINGS REPORT also highlights legislation criminalizing the reckless endangerment of an animal. Rhode Island enacted such a provision this year specific to “dogs in hot cars,” bringing the total to 16 states that now target a range of reckless conduct involving animals—including leaving an animal in a hot car—and many explicitly allow law enforcement to enter a vehicle to remove an animal at risk.

“Too many pet owners ignore the very real danger of leaving an animal in an enclosed vehicle—even in the shade, even with a cracked window,” says Lora Dunn, Staff Attorney for ALDF’s Criminal Justice Program. “It takes only moments for the temperature inside a parked car to rise to levels that are dangerous for a helpless animal trapped inside. Reckless endangerment laws recognize the extreme suffering of animals left to such a perilous fate—too often tragically fatal.”

For the seventh consecutive year, the “Best Five” states remained the same in 2014: Illinois held strong as the top state for animal protection, while Maine pushed Oregon out of second place due to its reckless endangerment law and prohibition on BSL. Other notable changes this year included Georgia’s first-ever felony penalty for animal neglect, Alabama’s new prohibition on bestiality, a new requirement in Massachusetts that veterinarians report animal cruelty, and new laws in four states allowing for protective orders to include animals—crucial for human victims of domestic violence who so often stay in abusive situations out of fear for their pets’ safety. More than half of all states—26 states and D.C.—now include animals in protective order legislation.

In reviewing the results from ALDF’s RANKINGS REPORTS over the past five years, more than three quarters of all states and territories experienced a significant improvement in their animal protection laws:

- ✓ **28%** of jurisdictions improved 2-10%
- ✓ **50%** of jurisdictions improved 11-50%
- ✓ **4%** of jurisdictions improved by greater than 50%

These improvements included, among others:

- Expanding the range of protections for animals
- Providing stiffer penalties for offenders
- Strengthening standards of care for animals
- Reporting of animal cruelty cases by veterinarians and other professionals
- Mitigating and recovering costs associated with the care of mistreated animals
- Requiring mental health evaluations and counseling for offenders
- Banning ownership of animals following convictions
- Including animals in domestic violence protective orders
- Including animal fighting as a RICO (racketeering) offense

One of the frequently used measures for gauging the state of animal protection laws in the U.S. has been the presence or absence of felony-level penalties for the most egregious types of abuse. Since ALDF released its first U.S. rankings report in 2006, there has been noticeable progress in this indicator:

- **Nine jurisdictions** added—for the first time—felony penalties for cases involving extreme animal cruelty or torture: *Alaska, Arkansas, Guam, Hawaii, Idaho, Mississippi, North Dakota, South Dakota*, and Utah.*
- **Eight jurisdictions** strengthened their existing felony animal cruelty laws: *Georgia*, Kentucky, Louisiana, Michigan, Nebraska, Nevada, Ohio, and Puerto Rico.*
- **Fourteen jurisdictions** added felonies for repeated or aggravated animal neglect: *Alaska, Arkansas, Connecticut, Georgia*, Hawaii, Indiana, Louisiana, Michigan, Nebraska, New Jersey, North Carolina, Oregon, Puerto Rico, and Tennessee.*
- **Eight jurisdictions** made repeated abandonment, or abandonment that results in the death or serious injury of an animal, a felony: *Arkansas, Connecticut, Idaho, Louisiana, Indiana, Michigan, Nebraska, and Puerto Rico.*
- **Three jurisdictions** added felonies for the sexual assault of an animal: *Alaska, Puerto Rico, and Tennessee.*

* denotes new changes in 2014

Sizable majorities of all households now include at least one animal, and polls continue to show that the public cares deeply about animal welfare. ALDF's goals in these ongoing reviews are to continue to shed light on the important issue of animal protection, to compare and contrast the differences and similarities in the provinces and territories, and to garner support for strengthening and enforcing animal protection laws throughout the country.

ALDF encourages those who care about the welfare and protection of animals to contact their elected officials about the importance of having strong, comprehensive laws in this field, and to alert law enforcement should they ever witness animal abuse or neglect.

Please visit aldf.org for additional information, including the ANIMAL PROTECTION LAWS OF THE USA & CANADA compendium, MODEL ANIMAL PROTECTION LAWS collection, and more.

2014 U.S. ANIMAL PROTECTION LAWS & RANKINGS

Comparing Overall Strength and Comprehensiveness



2014 U.S. RANKINGS

BEST FIVE FOR ANIMALS	WORST FIVE FOR ANIMALS
<p>1. Illinois</p> <p>2. Maine</p> <p>3. Oregon</p> <p>4. California</p> <p>5. Michigan</p>	<p>46. Wyoming</p> <p>47. Utah</p> <p>48. New Mexico</p> <p>49. Iowa</p> <p>50. Kentucky</p>

Top Tier	2014 Rank	Jurisdiction
	1	Illinois
	2	Maine
	3	Oregon
	4	California
	5	Michigan
	6	West Virginia
	7	Virginia
	8	Arizona

Top Tier	9	Rhode Island
	10	Colorado
	11	Washington
	12	Indiana
	13	Massachusetts
	14	Kansas
	15	Florida
	16	Tennessee
	17	Nebraska
	18	Minnesota
	19	Delaware

Middle Tier	2014 Rank	JURISDICTION
	20	New Hampshire
	21	Louisiana
	22	Nevada
	23	Vermont
	24	<i>District of Columbia</i>
	25	Arkansas
	26	Texas
	27	Connecticut
	28	Ohio
	29	<i>Puerto Rico</i>
	30	North Carolina
	31	<i>Guam</i>
	32	<i>Virgin Islands</i>
	33	Oklahoma
	34	Mississippi
	35	Montana
	36	Wisconsin
	37	New Jersey
	38	Hawaii

Bottom Tier	2014 Rank	JURISDICTION
	39	Maryland
	40	South Dakota
	41	Georgia
	42	Missouri
	43	New York
	44	Pennsylvania
	45	South Carolina
	46	Alaska
	47	Idaho
	48	North Dakota
	49	Alabama
	50	Wyoming
	51	Utah
	52	New Mexico
	53	Iowa
	54	Kentucky
	55	<i>Northern Mariana Islands</i>
	56	<i>American Samoa</i>

EDITOR'S NOTE: The District of Columbia and U.S. territories are included in this report and are *italicized*. The "Best Five" and "Worst Five" lists are limited to states.

Table: “Best Five” States

Select Provisions	1. Illinois	2. Maine	3. Oregon	4. California	5. Michigan
<ul style="list-style-type: none"> Felony penalties available: Cruelty (C), Neglect (N), Fighting (F), Abandonment (A), Sexual Assault (S) 	C, N, F, A, S	C, N, F, A, S	C, F, N	C, N, F*	C, N, F, A, S
<ul style="list-style-type: none"> Adequate definitions/ standards of basic care 	✓	✓	✓	--	✓
<ul style="list-style-type: none"> Full range of statutory protections (cruelty, neglect, abandonment, sexual assault, fighting) 	✓	✓	✓	✓	✓
<ul style="list-style-type: none"> Increased penalties for repeat abusers and/or animal hoarders 	✓	✓	✓	--	✓
<ul style="list-style-type: none"> Increased penalties when abuse is committed in the presence of a minor 	✓	--	✓	--	--
<ul style="list-style-type: none"> Courts may order forfeiture of abused animals 	✓	✓	✓	✓	✓
<ul style="list-style-type: none"> Mandatory forfeiture of animals upon conviction 	--	--	--	✓	--
<ul style="list-style-type: none"> Mandatory reporting of suspected cruelty by veterinarians and/or select non-animal-related agencies/professionals 	✓	✓	✓	✓	--
<ul style="list-style-type: none"> Police officers have an affirmative duty to enforce animal protection laws 	--	✓	✓	✓	✓

Select Provisions	1. Illinois	2. Maine	3. Oregon	4. California	5. Michigan
<ul style="list-style-type: none"> Humane officers have broad law enforcement authority 	--	--	✓	✓	✓
<ul style="list-style-type: none"> Broad measures to mitigate and recover costs of care for abused pets seized by animal welfare agencies 	✓	✓	✓	✓	✓
<ul style="list-style-type: none"> Court may restrict ownership of animals after a conviction 	✓	✓	✓	✓	✓
<ul style="list-style-type: none"> Mental health evaluations and/or counseling for offenders 	✓	✓	✓	✓	✓
<ul style="list-style-type: none"> Animals may be included in domestic violence protective orders 	✓	✓	✓	✓	--

*Limited to select species

Table: “Worst Five” States

Select Provisions	46. Wyoming	47. Utah**	48. New Mexico	49. Iowa**	50. Kentucky
<ul style="list-style-type: none"> Felony penalties available: Cruelty (C), Neglect (N), Fighting (F), Abandonment (A), Sexual Assault (S) 	C, F*	C*	C, F*	C*, F	C*, F*
<ul style="list-style-type: none"> Adequate definitions/ standards of basic care 	--	✓	--	--	--
<ul style="list-style-type: none"> Full range of statutory protections (cruelty, neglect, abandonment, sexual assault, fighting) 	--	✓	--	✓	--
<ul style="list-style-type: none"> Increased penalties for repeat abusers and/or animal hoarders 	✓	✓	✓	✓	✓
<ul style="list-style-type: none"> Increased penalties when abuse is committed in the presence of a minor 	--	--	--	--	--
<ul style="list-style-type: none"> Courts may order forfeiture of abused animals 	✓	✓	✓	✓	--
<ul style="list-style-type: none"> Mandatory forfeiture of animals upon conviction 	--	--	✓	--	--
<ul style="list-style-type: none"> Mandatory reporting of suspected cruelty by veterinarians and/or select non-animal-related agencies/professionals 	--	--	--	--	†

Select Provisions	46. Wyoming	47. Utah**	48. New Mexico	49. Iowa**	50. Kentucky
<ul style="list-style-type: none"> Police officers have an affirmative duty to enforce animal protection laws 	--	--	--	--	✓
<ul style="list-style-type: none"> Humane officers have broad law enforcement authority 	--	--	--	--	--
<ul style="list-style-type: none"> Broad measures to mitigate and recover costs of care for abused pets seized by animal welfare agencies 	✓	--	--	--	--
<ul style="list-style-type: none"> Court may restrict ownership of animals after a conviction 	✓	✓	--	--	--
<ul style="list-style-type: none"> Mental health evaluations and/or counseling for offenders 	--	✓	✓	✓	--
<ul style="list-style-type: none"> Animals may be included in domestic violence protective orders 	--	--	--	✓	--

*Limited to select species

**Ag gag state

† Veterinarians are prohibited from reporting suspected cruelty or fighting.

Overview: Why These States Made the “Best Five” List

STATE	Existing Strengths	Potential Improvements
1. Illinois	Felony penalties for cruelty, neglect, fighting, abandonment and sexual assault	More comprehensive definitions/standards of basic care
	Principal protections apply to most animals	Stronger felony provisions for neglect and abandonment
	Adequate definitions/standards of basic care	Increased penalties for offenders with prior domestic violence offenses
	Full range of statutory protections	Broader cost mitigation & recovery measures
	Increased penalties for repeat animal abusers and animal hoarders	Mandatory forfeiture of any type of animal upon conviction
	Mental health evaluations prior to sentencing	Mandatory restrictions on future ownership or possession of animals following a conviction
	Mandatory counseling / anger management for certain offenders	Broader law enforcement powers for humane agents and duty on peace officers to enforce animal protection laws
	Protective orders may include animals	Court-calendar priority when animals are in custody
	Some mandatory cost-recovery measures for impounded animals	Animal fighting as RICO predicate offense
	Pre-conviction forfeiture allowed	Animal abuser registry
	Court may order forfeiture of select animals on conviction	
	Court may order restrictions on future ownership or possession of animals upon conviction	
	Mandatory reporting of suspected animal cruelty by select non-animal-related agencies and veterinarians	
	Humane agents have some law enforcement authority	

STATE	Existing Strengths	Potential Improvements
2. Maine	Felony penalties for cruelty, neglect, fighting, abandonment and sexual assault	Stronger felony provisions for neglect
	Principal protections apply to most animals	Increased penalties for crimes involving multiple animals
	Adequate definitions/standards of basic care	Increased penalties for offenders with prior domestic violence offenses
	Full range of statutory protections	Increased penalties when abuse is committed in the presence of a minor
	Increased penalties for repeat animal abusers	Mandatory restitution
	Limited pre-sentence mental health evaluations	Mandatory cost mitigation & recovery measures for impounded animals
	Permissive court order for counseling / anger management	Mandatory forfeiture of an animal upon conviction
	Protective orders may include animals	Mandatory restrictions on future ownership or possession of animals following a conviction
	Court may order cost recovery measures on conviction	Mandatory reporting of suspected animal cruelty by select non-animal-related agencies
	Pre-conviction forfeiture allowed	Mandatory reporting of all suspected animal cruelty by veterinarians
	Court may order forfeiture on conviction	Broader law enforcement powers for humane agents
	Court may order restrictions on future ownership or possession of animals upon conviction	Court-calendar priority when animals are in custody
	Permissive reporting of animal cruelty by select non-animal related agencies	Felony penalty on first-offense sexual assault
	Mandatory reporting of suspected aggravated animal cruelty by veterinarians	Stronger animal fighting provisions
	Peace officers have an affirmative duty to investigate animal protection law violations	Animal fighting as RICO predicate offense
	Humane agents have some law enforcement authority	Animal abuser registry

STATE	Existing Strengths	Potential Improvements
3. Oregon	Felony penalty for cruelty, neglect and fighting	Felony penalties for abandonment and sexual assault
	Adequate definitions/standards of basic care	Mandatory terms of incarceration for certain offenders
	Principal protections apply to most animals	Broader pre-sentence mental health evaluations
	Full range of statutory protections	Mandatory restitution
	Increased penalties for repeat animal abusers	Mandatory cost mitigation & recovery measures for impounded animals
	Increased penalties for repeat domestic violence offenders	Mandatory forfeiture on conviction
	Increased penalties when abuse committed in the presence of a minor	Mandatory reporting of suspected animal cruelty by select non-animal-related agencies
	Increased penalties for cases involving multiple animals	Mandatory reporting of all suspected animal cruelty by veterinarians
	Limited pre-sentence mental health evaluations	Court-calendar priority when animals are in custody
	Permissive court order for counseling / anger management	Animal abuser registry
	Protective orders may include animals	
	Court may order cost mitigation & 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	
	Humane agents have broad law enforcement authority	
	Animal fighting is a predicate offense under state RICO laws	
	Strong animal fighting provisions	

STATE	Existing Strengths	Potential Improvements
4. California	Felony penalties for cruelty, neglect and fighting	Felony penalties for abandonment and sexual assault
	Principal protections apply to most animals	Better statutory definitions/standards of basic care
	Full range of statutory protections	Increased penalties for cases involving multiple animals or repeat offenses
	Mandatory court order for counseling / anger management	Increased penalties when abuse committed in the presence of a minor
	Protective orders may include animals	Increased penalties for offenders with prior domestic violence offenses
	Court must order restitution	Mandatory terms of incarceration for certain offenders
	Mandatory cost mitigation & recovery measures for impounded animals	Pre-sentence mental health evaluations
	Pre-conviction forfeiture allowed	Mandatory post-conviction ownership and possession ban
	Mandatory forfeiture of animals on conviction	Stronger animal fighting provisions
	Permissive post-conviction ownership and possession ban	Mandatory reporting of suspected animal cruelty by select non-animal-related agencies
	Select non-animal-related agencies may report suspected animal cruelty	Court-calendar priority when animals are in custody
	Mandatory reporting of animal cruelty by veterinarians	Animal fighting as RICO predicate offense
	Peace officers have an affirmative duty to enforce animal protection laws	Animal abuser registry
	Humane agents have broad law enforcement authority	

STATE	Existing Strengths	Potential Improvements
5. Michigan	Felony penalties for cruelty, neglect, fighting, abandonment and sexual assault	Increased penalties for offenders with prior domestic violence offenses
	Adequate definitions/standards of basic care	Increased penalties when abuse committed in the presence of a minor
	Principal protections apply to most animals	Mandatory terms of incarceration
	Full range of statutory protections	Protective orders to include animals
	Increased penalties for repeat animal abusers	Mandatory restitution
	Increased penalties for cases involving multiple animals	Mandatory cost mitigation measures for impounded animals
	Pre-sentence mental health evaluations	Mandatory forfeiture of animals on conviction
	Permissive court order for counseling / anger management	Mandatory restrictions on future ownership or possession of animals following a conviction
	Permissive cost mitigation measures for impounded animals	Mandatory reporting of suspected animal cruelty by select non-animal-related agencies and veterinarians
	Pre-conviction forfeiture allowed	Court-calendar priority when animals are in custody
	Court may order forfeiture on conviction	Animal abuser registry
	Court may order restrictions on future ownership or possession of animals upon conviction	
	Peace officers have an affirmative duty to enforce animal protection laws	
	Humane agents have broad law enforcement authority	
	Strong animal fighting provisions	
	Animal fighting as RICO predicate offense	

Overview: Why These States Made the “Worst Five” List

STATE	Major Areas Needing Improvement
46. Wyoming	Felony provisions available only for cruelty and fighting against 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
	No mental health evaluations or counseling for offenders
	No statutory authority to allow protective orders to include animals
	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
	Humane officers lack broad law enforcement authority
	No provisions for sexual assault
	Inadequate animal fighting provisions

STATE	Major Areas Needing Improvement
47. Utah	Ag gag law
	Felony provisions available only for cruelty against select animals
	No felony provisions for neglect, abandonment, or fighting of animals
	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
	No duty for peace officers to enforce animal protection laws
	Inadequate cost mitigation & recovery provisions for impounded animals
	No provisions for select non-animal-related agencies/professionals to report suspected animal abuse
	No mandatory forfeiture of animals upon conviction
	Inadequate sexual assault provisions

STATE	Major Areas Needing Improvement
48. New Mexico	Felony provisions available only for cruelty and fighting against select animals
	Inadequate felony provisions for neglect; none for abandonment
	Inadequate definitions/standards of basic care
	No increased penalties when abuse is committed in the presence of a minor
	No mental health evaluations for offenders
	No statutory authority to allow protective orders to include animals
	Inadequate cost mitigation & recovery provisions for impounded animals
	No restrictions on future possession of animals following a 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
	Humane officers lack broad law enforcement authority
	No provisions for sexual assault
	Inadequate animal fighting provisions

STATE	Major Areas Needing Improvement
49. Iowa	Ag gag law
	Felony provisions available only for cruelty against select animals and fighting
	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 involves multiple animals
	No statutory authority to allow protective orders to include animals
	Inadequate cost mitigation & recovery provisions for impounded animals
	No mandatory forfeiture of animals upon conviction
	No restrictions on future ownership or possession of animals following a 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
	Humane officers lack broad law enforcement authority
	Inadequate animal fighting provisions

STATE	Major Areas Needing Improvement
50. Kentucky	Felony provisions available only for cruelty and fighting, both against only select animals
	No felony provisions for neglect or abandonment
	Inadequate definitions/standards of basic care
	No increased penalties when abuse is committed in the presence of a minor or involves multiple animals
	No mental health evaluations or counseling for offenders
	No statutory authority to allow protective orders to include animals
	No cost mitigation or recovery provisions for impounded animals
	No court-ordered forfeiture provisions
	No restrictions on future ownership or possession of animals following a conviction
	No provisions for select non-animal-related agencies/professionals to report suspected animal abuse
	Veterinarians are prohibited from reporting suspected cruelty or fighting
	Humane officers lack broad law enforcement authority
	No provisions for sexual assault
	Inadequate animal fighting provisions

Methodology summary

The 56 jurisdictions included in the 2014 U.S. ANIMAL PROTECTION LAWS RANKINGS REPORT were numerically ranked based on their cumulative scores to 44 study questions covering 15 distinct animal protection laws 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 4,000+ page compendium ANIMAL PROTECTION LAWS OF THE USA & CANADA (NINTH EDITION).^{*} The study questions were close-ended and the choices exhaustive and mutually exclusive. The questions were limited to the following categories:

1. General prohibitions
2. Penalties
3. Exemptions
4. Mental health evaluations & counseling
5. Protective orders
6. Cost mitigation & recovery
7. Seizure/impoundment
8. Forfeiture and post-conviction possession
9. Non-animal agency reporting of suspected animal cruelty
10. Veterinarian reporting of suspected animal cruelty
11. Law enforcement policies
12. Sexual assault
13. Fighting
14. Offender registration
15. "Ag gag" legislation

^{*}Please visit aldf.org for the ANIMAL PROTECTION LAWS OF THE USA & CANADA (NINTH EDITION). Contact comms@aldf.org for any report-related questions, comments, or additional information.