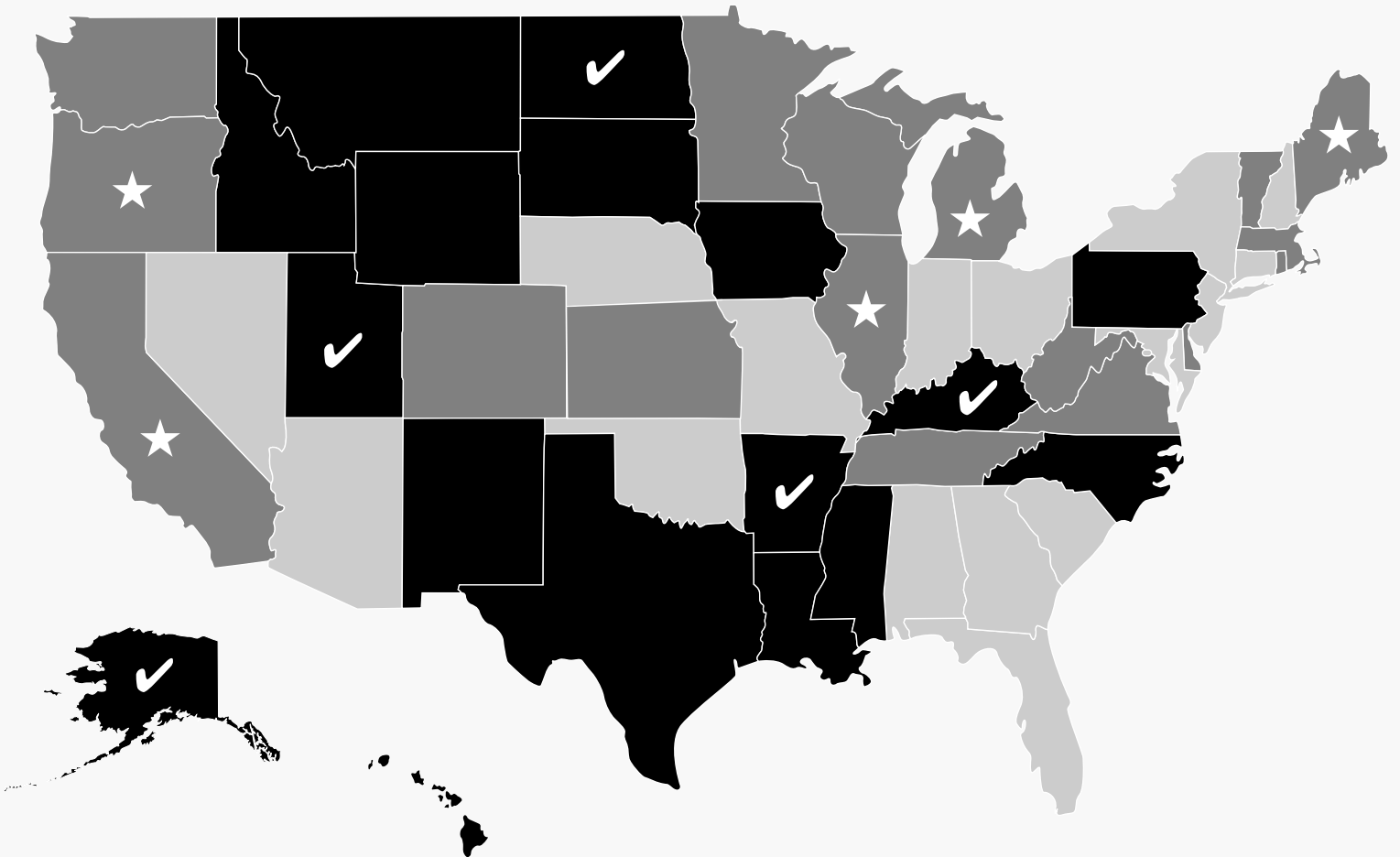




# 2007 State Animal Protection Laws Rankings

Comparing Overall Strength & Comprehensiveness



★ Best Five  
✓ Worst Five

■ Top Tier  
■ Middle Tier  
■ Bottom Tier

# **Animal Legal Defense Fund Releases**

## **2007 State Animal Protection Laws Rankings**

*November 2007*

The Animal Legal Defense Fund announces the release of its second annual report ranking every state and the District of Columbia on the relative strength and general comprehensiveness of their animal protection laws. This report, the only one of its kind in the nation, is based on a detailed comparative analysis of the animal protection laws of each jurisdiction, researching fourteen distinct categories of provisions throughout more than 2800 pages of statutes.\* The ranking groups states into a top, middle or bottom tier, and includes a listing of the best five and worst five states.

“We saw some significant gains by a number of states this year. However, there are still important areas for improvement in every state’s laws, even for those states currently ranked in the top tier,” says Stephan Otto, Animal Legal Defense Fund’s director of legislative affairs and author of the report. “It is our hope that this report will help draw attention both to the states who are leading the country with their strong animal protection laws, as well as to those states at the lower end of the rankings – states with laws that are plainly incapable of adequately protecting animals. Animals do not vote, but those who love and care about them do, so we encourage lawmakers to take notice and work on improving these vital laws.”

Please contact your elected officials and encourage them to support improvements to the laws that protect animals. For additional information, including our MODEL ANIMAL PROTECTION LAWS collection, ANIMAL PROTECTIONS LAWS OF THE USA & CANADA compendium, and more, visit [aldf.org](http://aldf.org).

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\* See page 7 for a summary of the methodology used in this report.



**2007 STATE ANIMAL PROTECTION LAWS RANKINGS\***  
*Comparing Overall Strength & Comprehensiveness*

<b>BEST FIVE</b>	California, Illinois, Maine, Michigan, Oregon
<b>WORST FIVE</b>	Arkansas, Alaska, Kentucky, North Dakota, Utah

<b>TOP TIER</b>	California, Colorado, Delaware, Illinois, Kansas Maine, Massachusetts, Michigan, Minnesota, Oregon, Rhode Island, Tennessee, Washington, West Virginia, Wisconsin, Vermont, Virginia
<b>MIDDLE TIER</b>	Alabama, Arizona, Connecticut, District of Columbia, Florida, Georgia, Indiana, Maryland, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Oklahoma, Ohio, South Carolina
<b>BOTTOM TIER</b>	Alaska, Arkansas, Hawaii, Idaho, Iowa, Louisiana, Kentucky, Mississippi, Montana, New Mexico, North Carolina, North Dakota, Pennsylvania, South Dakota, Texas, Utah, Wyoming

\* States are listed in alphabetical order.

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

<b>Alaska</b>	<ul style="list-style-type: none"> <li>- No felony animal cruelty/neglect provisions</li> <li>- Inadequate range of prohibitions</li> <li>- No increased penalties for repeat offenders</li> <li>- No mental health evaluations or counseling for offenders</li> <li>- Inadequate cost mitigation provisions for impounded animals (e.g. liens, mandatory reimbursement of costs, restitution)</li> <li>- No reporting provisions for suspected animal abuse</li> <li>- No separate crime for the sexual assault of an animal</li> <li>- Inadequate animal fighting provisions</li> <li>- No humane agents</li> </ul>
<b>Arkansas</b>	<ul style="list-style-type: none"> <li>- No felony animal cruelty/neglect provisions</li> <li>- Inadequate range of prohibitions and definitions/standards of basic care</li> <li>- No increased penalties for repeat offenders</li> <li>- Inadequate cost mitigation provisions for impounded animals (e.g. cost-of-care bonds, other reimbursement of costs, restitution and broader lien provisions)</li> <li>- No reporting provisions for suspected animal abuse</li> <li>- Inadequate animal fighting provisions</li> <li>- No restrictions on future ownership or possession of animals following a conviction</li> </ul>
<b>Kentucky</b>	<ul style="list-style-type: none"> <li>- Inadequate range of prohibitions and definitions/standards of basic care</li> <li>- Principal protections apply only to select types of animals</li> <li>- Felony provision available only for select repeat offenses involving only select animals</li> <li>- No mental health evaluations or counseling for offenders</li> <li>- No cost mitigation provisions for impounded animals (e.g. cost-of-care bonds, other reimbursement of costs, liens, restitution provisions)</li> <li>- No forfeiture of abused animals</li> <li>- No restrictions on future ownership or possession of animals following a conviction</li> <li>- No reporting provisions for suspected animal abuse</li> <li>- No separate crime for the sexual assault of an animal</li> <li>- Inadequate animal fighting provisions</li> </ul>
<b>North Dakota</b>	<ul style="list-style-type: none"> <li>- No felony animal cruelty/neglect provisions</li> <li>- Inadequate definitions/standards of basic care</li> <li>- No increased penalties for repeat offenders</li> <li>- No mental health evaluations or counseling for offenders</li> <li>- Inadequate cost mitigation provisions for impounded animals (e.g. cost-of-care bonds, other reimbursement of costs, restitution provisions)</li> <li>- No forfeiture of abused animals</li> <li>- No restrictions on future ownership or possession of animals following a conviction</li> <li>- No reporting provisions for suspected animal abuse</li> <li>- No humane agents</li> </ul>
<b>Utah</b>	<ul style="list-style-type: none"> <li>- No felony animal cruelty/neglect provisions</li> <li>- Inadequate definitions/standards of basic care</li> <li>- Principal protections apply only to select types of animals</li> <li>- Inadequate cost mitigation provisions for impounded animals (e.g. cost-of-care bonds, other reimbursement of costs, restitution provisions)</li> <li>- No reporting provisions for suspected animal abuse</li> <li>- Inadequate animal fighting provisions</li> <li>- No humane agents</li> </ul>

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

STATE	Strengths	Areas for Improvement
<b>California</b>	<ul style="list-style-type: none"> <li>- Felony penalties for cruelty and neglect</li> <li>- Principal protections apply to all animals</li> <li>- Full range of statutory protections</li> <li>- Court may order restitution</li> <li>- Court may order counseling/anger management</li> <li>- Some mandatory cost mitigation measures for impounded animals</li> <li>- Select non-animal-related agencies may report suspected animal cruelty</li> <li>- Mandatory seizure of mistreated animals</li> <li>- Mandatory forfeiture of animals on conviction</li> <li>- Pre-conviction forfeiture allowed</li> <li>- Mandatory reporting of animal cruelty by veterinarians</li> <li>- Humane agents have broad law enforcement authority</li> <li>- Protective orders may include animals</li> </ul>	<ul style="list-style-type: none"> <li>- Better statutory definitions/standards of basic care</li> <li>- Enhanced penalties for repeat animal abusers</li> <li>- Enhanced penalties when crime committed in the presence of a minor</li> <li>- Enhanced penalties for offenders with prior domestic violence offenses</li> <li>- Mandatory terms of incarceration for certain offenders</li> <li>- Pre-sentence mental health evaluations</li> <li>- Mandatory restitution</li> <li>- Mandatory restrictions on future ownership or possession of animals following a conviction</li> <li>- Mandatory reporting of suspected animal cruelty by select non-animal-related agencies</li> <li>- Felony penalty for sexual assault</li> <li>- Stronger animal fighting provisions</li> </ul>
<b>Illinois</b>	<ul style="list-style-type: none"> <li>- Felony penalties for cruelty, neglect and sexual assault</li> <li>- Adequate definitions/standards of basic care</li> <li>- Principal protections apply to all animals</li> <li>- Full range of statutory protections</li> <li>- Enhanced penalties for repeat animal abusers</li> <li>- Pre-sentence mental health evaluations</li> <li>- Court may order counseling/anger management</li> <li>- Mandatory cost mitigation measures for impounded animals</li> <li>- Pre-conviction forfeiture allowed</li> <li>- Mandatory forfeiture of animals on conviction</li> <li>- Court may order restrictions on future ownership or possession of animals upon conviction</li> <li>- Mandatory reporting of animal cruelty by veterinarians</li> <li>- Humane agents have some law enforcement authority</li> <li>- Protective orders may include animals</li> </ul>	<ul style="list-style-type: none"> <li>- Enhanced penalties for offenders with prior domestic violence offenses</li> <li>- Enhanced penalties when crime committed in the presence of a minor</li> <li>- Mandatory terms of incarceration for certain offenders</li> <li>- Mandatory restrictions on future ownership or possession of animals following a conviction</li> <li>- Mandatory reporting of suspected animal cruelty by select non-animal-related agencies</li> <li>- Broader law enforcement powers for humane agents</li> <li>- Stronger animal fighting provisions</li> </ul>

**Overview: Why These States Made the “Best Five” List *cont’d.***

STATE	Strengths	Areas for Improvement
<b>Maine</b>	<ul style="list-style-type: none"> <li>- Felony penalties for cruelty and neglect</li> <li>- Adequate definitions/standards of basic care</li> <li>- Principal protections apply to all animals</li> <li>- Full range of statutory protections</li> <li>- Enhanced penalties for repeat animal abusers</li> <li>- Limited pre-sentence mental health evaluations</li> <li>- Court may order counseling/anger management</li> <li>- Court may order cost mitigation measures on conviction</li> <li>- Court may order forfeiture on conviction</li> <li>- Court may order restrictions on future ownership or possession of animals upon conviction</li> <li>- Permissive reporting of animal cruelty by veterinarians and select non-animal related agencies</li> <li>- Humane agents have some law enforcement authority</li> <li>- Protective orders may include animals</li> </ul>	<ul style="list-style-type: none"> <li>- Enhanced penalties for offenders with prior domestic violence offenses</li> <li>- Enhanced penalties when crime committed in the presence of a minor</li> <li>- Mandatory restitution</li> <li>- Mandatory cost mitigation measures for impounded animals</li> <li>- Mandatory forfeiture on conviction</li> <li>- Mandatory restrictions on future ownership or possession of animals following a conviction</li> <li>- Mandatory reporting of suspected animal cruelty by select non-animal-related agencies</li> <li>- Mandatory reporting of animal cruelty by veterinarians</li> <li>- Broader law enforcement powers for humane agents</li> <li>- Felony penalty for sexual assault</li> </ul>
<b>Michigan</b>	<ul style="list-style-type: none"> <li>- Felony penalties for cruelty, neglect and sexual assault</li> <li>- Adequate definitions/standards of basic care</li> <li>- Principal protections apply to all animals</li> <li>- Full range of statutory protections</li> <li>- Enhanced penalties for repeat animal abusers</li> <li>- Court may order counseling/anger management</li> <li>- Mandatory cost mitigation measures for impounded animals</li> <li>- Pre-conviction forfeiture allowed</li> <li>- Court may order forfeiture on conviction</li> <li>- Court may order restrictions on future ownership or possession of animals upon conviction</li> <li>- Humane agents have broad law enforcement authority</li> <li>- All peace officers have an affirmative duty to enforce animal protection laws</li> </ul>	<ul style="list-style-type: none"> <li>- Enhanced penalties for offenders with prior domestic violence offenses</li> <li>- Enhanced penalties when crime committed in the presence of a minor</li> <li>- Mandatory terms of incarceration for certain offenders</li> <li>- Pre-sentence mental health evaluations</li> <li>- Mandatory restitution</li> <li>- Mandatory forfeiture on conviction</li> <li>- Mandatory restrictions on future ownership or possession of animals following a conviction</li> <li>- Mandatory reporting of suspected animal cruelty by select non-animal-related agencies</li> <li>- Mandatory reporting of animal cruelty by veterinarians</li> <li>- Protective orders may include animals</li> </ul>

**Overview: Why These States Made the “Best Five” List *cont’d.***

STATE	Strengths	Areas for Improvement
<b>Oregon</b>	<ul style="list-style-type: none"> <li>- Felony penalty for cruelty</li> <li>- Adequate definitions/standards of basic care</li> <li>- Principal protections apply to all animals</li> <li>- Full range of statutory protections</li> <li>- Enhanced penalties for repeat animal abusers</li> <li>- Enhanced penalties for repeat domestic violence offenders</li> <li>- Enhanced penalties when crime committed in the presence of a minor</li> <li>- Some pre-sentence mental health evaluations</li> <li>- Court may order counseling/anger management</li> <li>- Court may order cost mitigation measures for impounded animals</li> <li>- Pre-conviction forfeiture allowed</li> <li>- Mandatory post-conviction ownership and possession ban</li> <li>- Mandatory reporting of animal cruelty by veterinarians</li> <li>- Humane agents have broad law enforcement authority</li> <li>- All peace officers have an affirmative duty to enforce animal protection laws</li> </ul>	<ul style="list-style-type: none"> <li>- Felony penalties for neglect and sexual assault</li> <li>- Mandatory terms of incarceration for certain offenders</li> <li>- Broader pre-sentence mental health evaluations</li> <li>- Mandatory restitution</li> <li>- Mandatory cost mitigation measures for impounded animals</li> <li>- Mandatory forfeiture on conviction</li> <li>- Mandatory reporting of suspected animal cruelty by select non-animal-related agencies</li> <li>- Stronger animal fighting provisions</li> <li>- Protective orders may include animals</li> </ul>

## Methodology summary

The fifty-one jurisdictions included in the 2007 ANIMAL PROTECTION LAWS RANKINGS REPORT were numerically ranked based on their cumulative scores to thirty-five study questions covering fourteen distinct animal protection laws categories. Answers to the study questions were based primarily on the statutory data contained in the 2,800+ page compendium ANIMAL PROTECTION LAWS OF THE USA & CANADA (Third Edition © 2007).<sup>\*</sup> 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. Community service
6. Cost-mitigation
7. Seizure/impound
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. Protective orders

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<sup>\*</sup> ANIMAL PROTECTION LAWS OF THE USA & CANADA (Third Edition) is available at [aldf.org](http://aldf.org). For any report-related questions, comments, or additional information, contact [legislation@aldf.org](mailto:legislation@aldf.org)