



Animal Legal
Defense Fund

2011 U.S. Animal Protection Laws Rankings™

Comparing Overall Strength & Comprehensiveness

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2011 U.S. ANIMAL PROTECTION LAWS RANKINGS™

Animal Legal Defense Fund Annual Study Ranks Laws Across the Country

Illinois Remains on Top, Mississippi Shows Most Improvement



December 2011

A new in-depth survey of the animal protection laws of each state and territory in the U.S. confirms that there remain considerable differences in the strength and comprehensiveness of each jurisdiction's laws. The Animal Legal Defense Fund's (ALDF) sixth annual report, 2011 U.S. ANIMAL PROTECTION LAWS RANKINGS – the longest-running and most authoritative report of its kind – is based on a detailed comparative analysis of the animal protection laws of each jurisdiction, researching fourteen broad categories of provisions throughout more than 4,000 pages of statutes.* Each jurisdiction received a numerical ranking based upon its combined score and was grouped into a top, middle or bottom tier. The ranking also highlights the best five and worst five states overall.

For the fourth consecutive year, Illinois held the top spot alone in the rankings due to its wide array of animal protection laws. Mississippi showed the most improvement, moving from 50th – and one of the *Worst Five* states – last year to 30th overall this year.† Mississippi's improved ranking was due partly to its enactment of a felony penalty for repeated cruelty and neglect (three states – Idaho, North Dakota, South Dakota – do not have any felony penalties for animal abuse) and for authorizing mental health evaluations and counseling for offenders. Guam showed the second best improvement, moving up eighteen spots to 34th in the nation. Arkansas, District of Columbia, Maryland, Oregon and Texas all improved their scores, in part, from new laws that allow animals to be included in domestic violence protective orders. California, Maryland, Mississippi, Rhode Island and Washington added or strengthened laws restricting access to animals following an animal abuse conviction. Many other states moved up in this year's report as well. Kentucky, once again, had the notorious distinction of having the weakest laws of any state in the nation—a position it has held for the past five years.

“These annual reports identify what each state and territory is doing with respect to their animal protection laws,” says Stephan Otto, ALDF's director of legislative affairs and author of the report. “Since ALDF began publishing these rankings in 2006, there has been a marked advance in the laws of many states and territories.”

* See page 16 of the report for a summary of the methodology used.

† Out of 56 jurisdictions (states, district & territories).

In reviewing the results from ALDF's rankings reports over the past five years, more than half of all states and territories experienced a significant improvement in their animal protection laws:

- ✓ 27% improved 2-10%
- ✓ 16% improved 10-50%
- ✓ 11% improved by greater than 50%:

Alaska: 53%

Utah: 56%

Guam: 63%

Mississippi: 66%

Puerto Rico: 91%

Arkansas: 95%

These improvements included, among others:

- Expanding the range of protections for animals
- Providing stiffer penalties for offenders
- Better standards of care for animals
- Reporting of animal cruelty cases by veterinarians and other professionals
- Mitigation and recovery of the costs associated with the care and rehabilitation of mistreated animals
- Mental health evaluations and counseling for offenders
- Bans on ownership of animals following convictions
- Allowing animals to be included in domestic violence protective orders

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. Over the past five years:

- Six jurisdictions added – for the first time – felony penalties for cases involving extreme animal cruelty or torture: *Alaska, Arkansas, Guam, Hawaii, Mississippi, Utah*
- Six strengthened their existing felony animal cruelty laws: *Kentucky, Louisiana, Michigan, Nebraska, Nevada, Puerto Rico*
- Eight added felonies for repeated or aggravated animal neglect: *Alaska, Arkansas, Indiana, Louisiana, Michigan, Nebraska, North Carolina, Puerto Rico*
- Six jurisdictions made repeated abandonment, or abandonment that results in the death or serious injury of an animal, a felony: *Arkansas, Louisiana, Indiana, Michigan, Nebraska, Puerto Rico*
- Three added felonies for the sexual assault of an animal: *Alaska, Puerto Rico, Tennessee*

“We are very optimistic for additional progress in the upcoming year,” added Otto. “Nevertheless, even as many jurisdictions are making substantial steps forward, others are unfortunately not. Yet irrespective of where each jurisdiction currently ranks, every state and territory has ample room for improvement.”

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

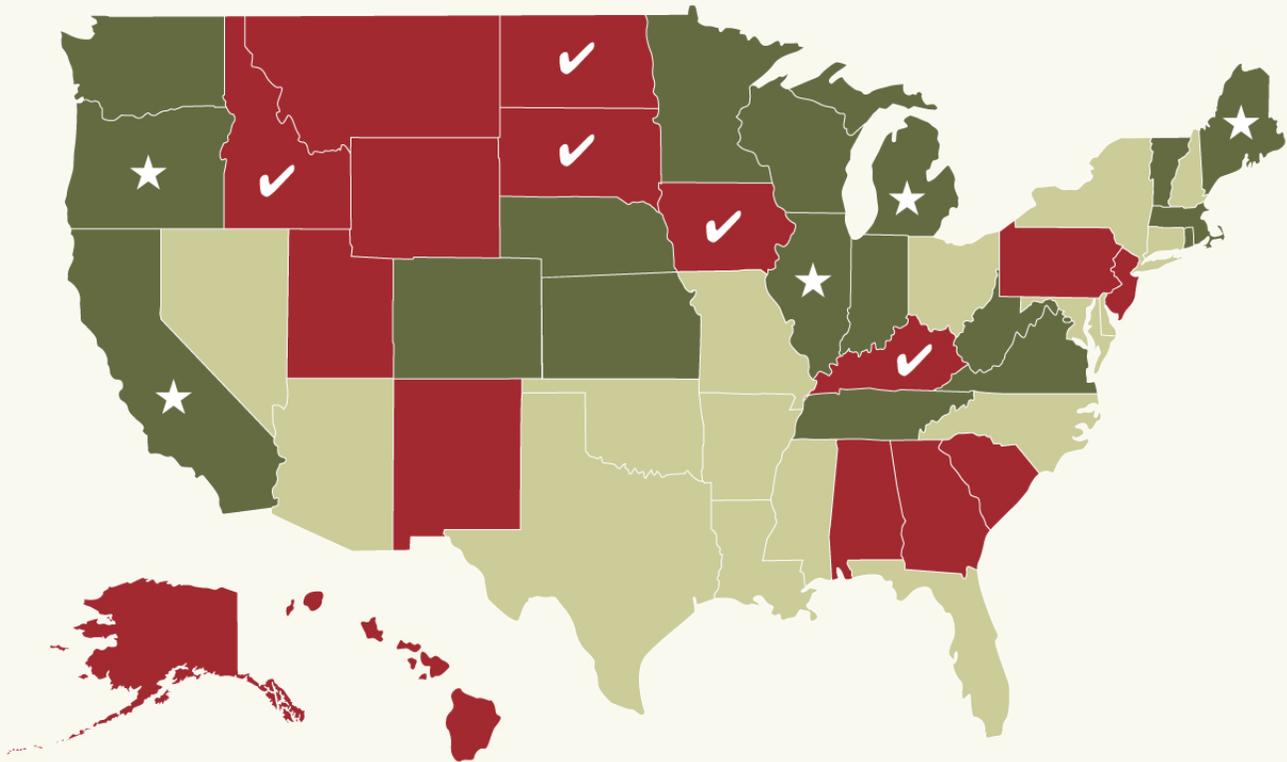
ALDF encourages those who care about the welfare and protection of animals to contact their elected officials about the importance of having strong, comprehensive laws in this field, and to alert law enforcement should they ever witness animal abuse or neglect.

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



2011 U.S. Animal Protection Laws Rankings™

Comparing Overall Strength & Comprehensiveness



★ Best Five
✓ Worst Five

■ Top Tier
■ Middle Tier
■ Bottom Tier



2011 U.S. Animal Protection Laws Rankings™

Comparing Overall Strength & Comprehensiveness

BEST FIVE FOR ANIMALS	WORST FIVE FOR ANIMALS
<ol style="list-style-type: none"> 1. Illinois 2. Maine 3. Michigan 4. Oregon 5. California 	<ol style="list-style-type: none"> 46. South Dakota 47. Iowa 48. Idaho 49. North Dakota 50. Kentucky

	RANK	JURISDICTION
TOP TIER	1	Illinois
	2	Maine
	3	Michigan
	4	Oregon
	5	California
	6	Kansas
	7	Indiana
	8	Tennessee
	9	Washington
	10	West Virginia
	11	Rhode Island
	12	Vermont
	13	Minnesota
	14	Colorado
	15	Massachusetts
	16	<i>District Of Columbia</i>
	17	Virginia
	18	Nebraska
	19	Wisconsin

Note: The District of Columbia, Puerto Rico, Virgin Islands and other territories are included in this report and are *italicized*. The *Best Five* and *Worst Five* categories are limited to states.

MIDDLE TIER	RANK	JURISDICTION
	20	Florida
	21	Delaware
	22	Oklahoma
	23	<i>Puerto Rico</i>
	24	New Hampshire
	25	Louisiana
	26	Nevada
	27	Arkansas
	28	Arizona
	29	<i>Virgin Islands</i>
	30	Mississippi
	31	Ohio
	32	Texas
	33	North Carolina
	34	<i>Guam</i>
	35	Connecticut
	36	Maryland
37	Missouri	
38	New York	

BOTTOM TIER	RANK	JURISDICTION
	39	Georgia
	40	Montana
	41	Utah
	42	South Carolina
	43	Alaska
	44	Pennsylvania
	45	Alabama
	46	New Mexico
	47	Hawaii
	48	New Jersey
	49	Wyoming
	50	South Dakota
	51	Iowa
	52	Idaho
	53	North Dakota
	54	Kentucky
	55	<i>Northern Mariana Islands</i>
56	<i>American Samoa</i>	

Table: “Best Five” States

Select provisions	1. Illinois	2. Maine	3. Michigan	4. Oregon	5. California
<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, N, F, A, S	C, F	C, N, 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 	✓	✓		✓	✓
<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 protection orders 	✓	✓		✓	✓

* Limited to select species

Table: “Worst Five” States

Select provisions	46. South Dakota	47. Iowa	48. Idaho	49. North Dakota	50. Kentucky
<ul style="list-style-type: none"> Felony penalties available: Cruelty (C), Neglect (N), Fighting (F) Abandonment (A), Sexual Assault (S) 	F*	C, F	F*	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 					†
<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 protection orders 					

* Limited to select species

† 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	<ul style="list-style-type: none"> - Felony penalties for cruelty, neglect, abandonment and sexual assault - Adequate definitions/standards of basic care - Principal protections apply to most animals - Full range of statutory protections - Increased penalties for repeat animal abusers and animal hoarders - Mental health evaluations prior to sentencing - Counseling/anger management for certain offenders - Some mandatory cost recovery measures for impounded animals - Pre-conviction forfeiture allowed - Mandatory 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 - Mandatory reporting of animal cruelty by veterinarians - Humane agents have some law enforcement authority - Protective orders may include animals 	<ul style="list-style-type: none"> - Increased penalties for offenders with prior domestic violence offenses - Increased penalties when crime committed in the presence of a minor - Mandatory terms of incarceration for certain offenders - Mandatory restrictions on future ownership or possession of animals following a conviction - Broader cost mitigation & recovery measures - Broader law enforcement powers for humane agents and duty on peace officers to enforce animal protection laws - More comprehensive definitions/standards of basic care - Mandatory forfeiture of any type of animal upon conviction - Court-calendar priority when animals are in custody - Stronger animal fighting provisions - Animal abuser registry
2. Maine	<ul style="list-style-type: none"> - Felony penalties for cruelty, neglect, abandonment and sexual assault - Adequate definitions/standards of basic care - Principal protections apply to most animals - Full range of statutory protections - Increased penalties for repeat animal abusers - Limited pre-sentence mental health evaluations - Pre-conviction forfeiture allowed - Court may order counseling/anger management - Court may order cost recovery measures on conviction - Court may order forfeiture on conviction - Court may order restrictions on future ownership or possession of animals upon conviction - Permissive reporting of animal cruelty by select non-animal related agencies - Mandatory reporting of suspected aggravated animal cruelty by veterinarians - Humane agents have some law enforcement authority - Protective orders may include animals - Peace officers have an affirmative duty to investigate animal protection law violations 	<ul style="list-style-type: none"> - Increased penalties for offenders with prior domestic violence offenses - Increased penalties when crime committed in the presence of a minor - Increased penalties for crimes involving multiple animals - Mandatory restitution - Mandatory cost mitigation & recovery measures for impounded animals - Mandatory forfeiture on conviction - Mandatory restrictions on future ownership or possession of animals following a conviction - Mandatory reporting of suspected animal cruelty by select non-animal-related agencies - Mandatory reporting of all suspected animal cruelty by veterinarians - Broader law enforcement powers for humane agents - Felony penalty on first offense sexual assault - Court-calendar priority when animals are in custody - Stronger animal fighting provisions - Animal abuser registry

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

STATE	Existing Strengths	Potential Improvements
3. Michigan	<ul style="list-style-type: none"> - Felony penalties for cruelty, neglect, abandonment and sexual assault - Adequate definitions/standards of basic care - Principal protections apply to most animals - Full range of statutory protections - Increased penalties for repeat animal abusers - Increased penalties for cases involving multiple animals - Pre-sentence mental health evaluations - Court may order counseling/anger management - Mandatory cost mitigation measures for impounded animals - Pre-conviction forfeiture allowed - Court may order forfeiture on conviction - Court may order restrictions on future ownership or possession of animals upon conviction - Humane agents have broad law enforcement authority - Strong animal fighting provisions - All peace officers have an affirmative duty to enforce animal protection laws 	<ul style="list-style-type: none"> - Increased penalties for offenders with prior domestic violence offenses - Increased penalties when crime committed in the presence of a minor - Mandatory terms of incarceration for certain offenders - Mandatory restitution - Additional cost mitigation & recovery measures for impounded animals - Mandatory forfeiture on conviction - Mandatory restrictions on future ownership or possession of animals following a conviction - Mandatory reporting of suspected animal cruelty by select non-animal-related agencies - Mandatory reporting of animal cruelty by veterinarians - Protective orders may include animals - Court-calendar priority when animals are in custody - Animal abuser registry
4. Oregon	<ul style="list-style-type: none"> - Felony penalty for cruelty - Adequate definitions/standards of basic care - Principal protections apply to most animals - Full range of statutory protections - Increased penalties for repeat animal abusers - Increased penalties for repeat domestic violence offenders - Increased penalties when crime committed in the presence of a minor - Limited pre-sentence mental health evaluations - Court may order counseling/anger management - Court may order cost mitigation & recovery measures for impounded animals - Pre-conviction forfeiture allowed - Court may order restrictions on future ownership or possession of animals upon conviction - Mandatory post-conviction ownership and possession ban - Mandatory reporting of suspected aggravated animal cruelty by veterinarians - Humane agents have broad law enforcement authority - Animal fighting is a predicate offense under state RICO laws - All peace officers have an affirmative duty to enforce animal protection laws - Strong animal fighting provisions - Protective orders may include animals 	<ul style="list-style-type: none"> - Felony penalties for neglect, abandonment and sexual assault - Increased penalties for cases involving multiple animals - Mandatory terms of incarceration for certain offenders - Broader pre-sentence mental health evaluations - Mandatory restitution - Mandatory cost mitigation & recovery measures for impounded animals - Mandatory forfeiture on conviction - Mandatory reporting of suspected animal cruelty by select non-animal-related agencies - Mandatory reporting of all suspected animal cruelty by veterinarians - Court-calendar priority when animals are in custody - Animal abuser registry

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

STATE	Existing Strengths	Potential Improvements
5. California	<ul style="list-style-type: none"> - Felony penalties for cruelty and neglect - Principal protections apply to most animals - Full range of statutory protections - Court may order restitution - Court may order counseling/anger management - Mandatory cost mitigation & recovery measures for impounded animals - Mandatory seizure of mistreated animals - Pre-conviction forfeiture allowed - Mandatory forfeiture of animals on conviction - Mandatory post-conviction ownership and possession ban - Select non-animal-related agencies may report suspected animal cruelty - Mandatory reporting of animal cruelty by veterinarians - Humane agents have broad law enforcement authority - Protective orders may include animals 	<ul style="list-style-type: none"> - Felony penalties for abandonment and sexual assault - Better statutory definitions/standards of basic care - Increased penalties for repeat animal abusers - Increased penalties for cases involving multiple animals - Increased penalties when crime committed in the presence of a minor - Increased penalties for offenders with prior domestic violence offenses - Mandatory terms of incarceration for certain offenders - Pre-sentence mental health evaluations - Court-calendar priority when animals are in custody - Mandatory restitution - Mandatory reporting of suspected animal cruelty by select non-animal-related agencies - Peace officers have an affirmative duty to enforce animal protection laws - Stronger animal fighting provisions - Animal abuser registry

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

46. South Dakota	<ul style="list-style-type: none"> - No felony animal cruelty/neglect/abandonment provisions - Inadequate definitions/standards of basic care - No mental health evaluations or counseling for offenders - No statutory authority to allow protective orders to include animals - Inadequate cost mitigation & recovery provisions for impounded animals - No provisions for veterinarians and other select non-animal-related agencies/professionals to report suspected animal abuse - No restrictions on future ownership or possession of animals following a conviction - Inadequate humane agent provisions and no duty on peace officers to enforce animal protection laws - Inadequate animal fighting provisions
47. Iowa	<ul style="list-style-type: none"> - Felony provision available only for cruelty against select animals - No felony provisions for extreme neglect or abandonment - Inadequate definitions/standards of basic care - Inadequate cost mitigation & recovery provisions for impounded animals (e.g. cost-of-care bonds, other reimbursement of costs, liens, restitution provisions) - No restrictions on future ownership or possession of animals following a conviction - No provisions for veterinarians and other select non-animal-related agencies/professionals to report suspected animal abuse - No humane agents and no duty on peace officers to enforce animal protection laws - No statutory authority to allow protective orders to include animals - Inadequate animal fighting provisions
48. Idaho	<ul style="list-style-type: none"> - No felony animal cruelty/neglect/abandonment provisions - Inadequate definitions/standards of basic care - No mental health evaluations or counseling for offenders - No restrictions on future ownership or possession of animals following a conviction - No provisions for veterinarians and other select non-animal-related agencies/professionals to report suspected animal abuse - Inadequate cost mitigation & recovery provisions for impounded animals - No statutory authority to allow protective orders to include animals - Inadequate animal fighting provisions - Inadequate humane agent provisions and no duty on peace officers to enforce animal protection laws
49. North Dakota	<ul style="list-style-type: none"> - No felony animal cruelty/neglect/abandonment provisions - Inadequate definitions/standards of basic care - No increased penalties for repeat offenders - No mental health evaluations or counseling for offenders - Inadequate cost mitigation & recovery provisions for impounded animals (e.g. cost-of-care bonds, other reimbursement of costs, restitution provisions) - No forfeiture of abused animals - No restrictions on future ownership or possession of animals following a conviction - No provisions for veterinarians and other select non-animal-related agencies/professionals to report suspected animal abuse - No statutory authority to allow protective orders to include animals - No humane agents and no duty on peace officers to enforce animal protection laws - Inadequate animal fighting provisions

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

50. Kentucky	<ul style="list-style-type: none">- Felony provision available only for cruelty against select animals- No felony provisions for extreme neglect or abandonment- Inadequate definitions/standards of basic care- Principal protections apply only to select types of animals- No mental health evaluations or counseling for offenders- No cost mitigation & recovery provisions for impounded animals (e.g. cost-of-care bonds, other reimbursement of costs, liens, restitution provisions)- No forfeiture of abused animals- No restrictions on future ownership or possession of animals following a conviction- Veterinarians are prohibited from reporting suspected cruelty or fighting- No provisions for select non-animal-related agencies/professionals to report suspected animal abuse- Inadequate humane agent provisions and no duty on peace officers to enforce animal protection laws- No separate crime for the sexual assault of an animal- No statutory authority to allow protective orders to include animals- Inadequate animal fighting provisions
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Methodology summary

The fifty-six jurisdictions included in the 2011 U.S. ANIMAL PROTECTION LAWS RANKINGS report were numerically ranked based on their cumulative scores to forty-one study questions covering fourteen 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 (SEVENTH 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/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. Offender registration

^{*} ANIMAL PROTECTION LAWS OF THE USA & CANADA (SEVENTH EDITION) will soon be available at aldf.org. For any report-related questions, comments, or additional information, contact legislation@aldf.org