

**LAW:**

**States with laws or codes to protect police service dogs from assault, battery or death:**

**States:**

**Alabama:**

Code of Alabama Section 13A-11-15:

Killing police dogs.

No person shall intentionally, knowingly, recklessly or with criminal negligence kill a dog used by a peace officer to perform tasks within the line and scope of said officer's duties. For the purposes of this section the term "peace officer" shall have the meaning prescribed in Section 36-30-1. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class C felony as defined by this Code. The provisions of this section shall not apply to any person who violates the provisions of this section during the course of an orderly demonstration or activity in pursuit of one's civil rights.

**Alaska:**

Alaska Statute Section 11.56.705

Harming a police dog in the first degree

(a) A person commits the crime of harming a police dog in the first degree if the person intentionally kills or causes serious physical injury to a police dog, knowing the dog to be a police dog.

(b) Harming a police dog in the first degree is a class C felony.

Sec. 11.56.710. Harming a police dog in the second degree

(a) A person commits the crime of harming a police dog in the second degree if the person intentionally causes physical injury to or, without causing physical injury to, torments, kicks, strikes, stones, or tampers with a police dog, knowing the dog to be a police dog.

(b) Harming a police dog in the second degree is a class A misdemeanor.

Sec. 11.56.715. Defense to harming a police dog

It is a defense to a prosecution under [AS 11.56.705](#) or [11.56.710](#) that the conduct of the defendant

(1) conformed to accepted veterinary practice; or

(2) was in response to a direct attack on the defendant by a police dog not acting under the control of a peace officer.

Sec. 11.81.900. Definitions

(47) "police dog" means a dog used in police work under the control of a peace officer

**Arizona:**

Arizona Revised Statute:

§ 13-2910. Cruelty to animals; interference with working or service animal; classification; definitions

A. A person commits cruelty to animals if the person does any of the following:

1. Intentionally, knowingly or recklessly subjects any animal under the person's custody or control to cruel neglect or abandonment.

2. Intentionally, knowingly or recklessly fails to provide medical attention necessary to prevent protracted suffering to any animal under the person's custody or control.

3. Intentionally, knowingly or recklessly inflicts unnecessary physical injury to any animal.

4. Recklessly subjects any animal to cruel mistreatment.

5. Intentionally, knowingly or recklessly kills any animal under the custody or control of another person without either legal privilege or consent of the owner.

6. Recklessly interferes with, kills or harms a working or service animal without either legal privilege or consent of the owner.

7. Intentionally, knowingly or recklessly leaves an animal unattended and confined in a motor vehicle and physical injury to or death of the animal is likely

to result.

8. Intentionally or knowingly subjects any animal under the person's custody or control to cruel neglect or abandonment that results in serious physical injury to the animal.

9. Intentionally or knowingly subjects any animal to cruel mistreatment.

10. Intentionally or knowingly interferes with, kills or harms a working or service animal without either legal privilege or consent of the owner.

11. Intentionally or knowingly allows any dog that is under the person's custody or control to interfere with, kill or cause physical injury to a service animal.

12. Recklessly allows any dog that is under the person's custody or control to interfere with, kill or cause physical injury to a service animal.

13. Intentionally or knowingly obtains or exerts unauthorized control over a service animal with the intent to deprive the service animal handler of the service animal.

B. It is a defense to subsection A of this section if:

1. Any person exposes poison to be taken by a dog that has killed or wounded livestock or poison to be taken by predatory animals on premises owned, leased or controlled by the person for the purpose of protecting the person or the person's livestock or poultry, and the treated property is kept posted by the person who authorized or performed the treatment until the poison has been removed, and the poison is removed by the person exposing the poison after the threat to the person, or the person's livestock or poultry has ceased to exist. The posting required shall provide adequate warning to persons who enter the property by the point or points of normal entry. The warning notice that is posted shall be readable at a distance of fifty feet, shall contain a poison statement and symbol and shall state the word "danger" or "warning".

2. Any person uses poisons in and immediately around buildings owned, leased or controlled by the person for the purpose of controlling wild and domestic rodents as otherwise allowed by the laws of the state, excluding any fur-bearing animals as defined in [section 17-101](#).

C. This section does not prohibit or restrict:

1. The taking of wildlife or other activities permitted by or pursuant to title 17.

2. Activities permitted by or pursuant to title 3.

3. Activities regulated by the Arizona game and fish department or the Arizona department of agriculture.

D. A peace officer, animal control enforcement agent or animal control enforcement deputy may use reasonable force to open a vehicle to rescue an animal if the animal is left in the vehicle as prescribed in subsection A, paragraph 7 of this section.

E. A person who is convicted of a violation of subsection A, paragraph 6 or 10 of this section is liable as follows:

1. If the working or service animal was killed or disabled, to the owner or agency that owns the working or service animal and that employs the handler or to the owner or handler for the replacement and training costs of the working or service animal and for any veterinary bills.

2. To the owner or agency that owns a working or service animal for the salary of the handler for the period of time that the handler's services are lost to the owner or agency.

3. To the owner for the owner's contractual losses with the agency.

F. An incorporated city or town or a county may adopt an ordinance with misdemeanor provisions at least as stringent as the misdemeanor provisions of this section.

G. A person who violates subsection A, paragraph 1, 2, 3, 4, 5, 6, 7 or 12 of this section is guilty of a class 1 misdemeanor. A person who violates subsection A, paragraph 8, 9, 10, 11 or 13 of this section is guilty of a class 6 felony.

H. For the purposes of this section:

1. "Animal" means a mammal, bird, reptile or amphibian.

2. "Cruel mistreatment" means to torture or otherwise inflict unnecessary serious physical injury upon an animal or to kill an animal in a manner that causes protracted suffering to the animal.

3. "Cruel neglect" means to fail to provide an animal with necessary food, water or shelter.

4. "Handler" means a law enforcement officer or any other person who has successfully completed a course of training prescribed by the person's agency or the service animal owner and who used a specially trained animal under the direction of the person's agency or the service animal owner.

5. "Service animal" means an animal that has completed a formal training program, that assists its owner in one or more daily living tasks that are associated with a productive lifestyle and that is trained to not pose a danger to the health and safety of the general public.

6. "Working animal" means a horse or dog that is used by a law enforcement agency, that is specially trained for law enforcement work and that is under the control of a handler.

**Arkansas:**

Arkansas Code Section 5-54-126

5-54-126. Killing or injuring animals used by law enforcement or search and rescue dogs.

(a) (1) Any person who, without just cause, purposely kills or injures any animal owned by or used by a law enforcement agency or any search and rescue dog is guilty of a Class D felony.

(2) "Search and rescue dog" means any dog:

(A) In training for or trained for the purpose of search and rescue;

(B) Owned by an independent handler or member of a search and rescue team; and

(C) Used in conjunction with a local law enforcement organization or an emergency services organization for the purpose of locating a missing person or evidence of arson.

(b) Any person guilty of violating subsection (a) of this section is also required to make restitution to the law enforcement agency or owner so aggrieved.

**California:**

California Penal Code Section 600:

§ 600. Interference with horse or dog being used by police officer

(a) Any person who willfully and maliciously and with no legal justification strikes, beats, kicks, cuts, stabs, shoots with a firearm, administers any poison or other harmful or stupefying substance to, or throws, hurls, or projects at, or places any rock, object, or other substance which is used in such a manner as to be capable of producing injury and likely to produce injury, on or in the path of, any horse being used by, or any dog under the supervision of, any peace officer in the discharge or attempted discharge of his or her duties, is guilty of a public offense.

If the injury inflicted is a serious injury, as defined in subdivision (c), the person shall be punished by imprisonment in the state prison for 16 months, two or three years, or in a county jail for not exceeding one year, or by a fine not exceeding two thousand dollars (\$2,000), or by both a fine and imprisonment. If the injury inflicted is not a serious injury, the person shall be punished by imprisonment in the county jail for not exceeding one year, or by a fine not exceeding one thousand dollars (\$1,000), or by both a fine and imprisonment.

(b) Any person who willfully and maliciously and with no legal justification interferes with or obstructs any horse or dog being used by any peace officer in the discharge or attempted discharge of his or her duties by frightening, teasing, agitating, harassing, or hindering the horse or dog shall be punished by imprisonment in a county jail for not exceeding one year, or by a fine not exceeding one thousand dollars (\$1,000), or by both a fine and imprisonment.

(c) Any person who, in violation of this section, and with intent to inflict such injury or death, personally causes the death, destruction, or serious physical injury including bone fracture, loss or impairment of function of any bodily member, wounds requiring extensive suturing, or serious crippling, of any horse or dog, shall, upon conviction of a felony under this section, in addition and consecutive to the punishment prescribed for the felony, be punished by an additional term of imprisonment in the state prison for one year.

(d) Any person who, in violation of this section, and with the intent to inflict such injury, personally causes great bodily injury, as defined in Section 12022.7, to any person not an accomplice, shall, upon conviction of a felony under this section, in addition and consecutive to the punishment prescribed for the felony, be punished by an additional term of imprisonment in the state prison for two years unless the conduct described in this subdivision is an element of any other offense of which the person is convicted or receives an enhancement under Section 12022.7.

(e) In any case in which a defendant is convicted of a violation of this section, the defendant shall be ordered to make restitution to the agency owning the animal and employing the peace officer for any veterinary bills, replacement costs of the animal if it is disabled or killed, and the salary of the peace officer for the period of time his or her services are lost to the agency.

### **Colorado:**

Colorado Revised Statute Section 18-1.3-602

### Definitions

As used in this part 6, unless the context otherwise requires:

(1) "Collections investigator" means a person employed by the judicial department whose primary responsibility is to administer, enforce, and collect on court orders or judgments entered with respect to fines, fees, restitution, or any other accounts receivable of the court, judicial district, or judicial department.

(2) "Conviction" means a verdict of guilty by a judge or jury or a plea of guilty or nolo contendere that is accepted by the court for a felony, misdemeanor, petty offense, or traffic misdemeanor offense, or adjudication for an offense that would constitute a criminal offense if committed by an adult. "Conviction" also includes having received a deferred judgment and sentence or deferred adjudication; except that a person shall not be deemed to have been convicted if the person has successfully completed a deferred sentence or deferred adjudication.

(2.3) "Money advanced by a governmental agency for a service animal" means costs incurred by a peace officer, law enforcement agency, fire department, fire protection district, or governmental search and rescue agency for the veterinary treatment and disposal of a service animal that was harmed while aiding in official duties and for the training of an animal to become a service animal to replace a service animal that was harmed while aiding in official duties, as applicable.

(2.5) Repealed.

(3) (a) "Restitution" means any pecuniary loss suffered by a victim and includes but is not limited to all out-of-pocket expenses, interest, loss of use of money, anticipated future expenses, rewards paid by victims, money advanced by law enforcement agencies, money advanced by a governmental agency for a service animal, adjustment expenses, and other losses or injuries proximately caused by an offender's conduct and that can be reasonably calculated and recompensed in money. "Restitution" does not include damages for physical or mental pain and suffering, loss of consortium, loss of enjoyment of life, loss of future earnings, or punitive damages.

(b) "Restitution" may also include extraordinary direct public and all private investigative costs.

(c) (I) "Restitution" shall also include all costs incurred by a government agency or private entity to:

(A) Remove, clean up, or remediate a place used to manufacture or attempt to manufacture a controlled substance or which contains a controlled substance or which contains chemicals, supplies, or equipment used or intended to be used in the manufacturing of a controlled substance;

(B) Store, preserve, or test evidence of a controlled substance violation; or

(C) Sell and provide for the care of and provision for an animal disposed of under the animal cruelty laws in accordance with part 2 of article 9 of this title or article 42 of title 35, C.R.S.

(II) Costs under this paragraph (c) shall include, but are not limited to, overtime wages for peace officers or other government employees, the operating expenses for any equipment utilized, and the costs of any property designed for one-time use, such as protective clothing.

(3.5) "Service animal" means any animal, the services of which are used to aid the performance of official duties by a peace officer, law enforcement agency, fire department, fire protection district, or governmental search and rescue agency.

(4) (a) "Victim" means any person aggrieved by the conduct of an offender and includes but is not limited to the following:

(I) Any person against whom any felony, misdemeanor, petty, or traffic misdemeanor offense has been perpetrated or attempted;

(II) Any person harmed by an offender's criminal conduct in the course of a scheme, conspiracy, or pattern of criminal activity;

(III) Any person who has suffered losses because of a contractual relationship with, including but not limited to an insurer, or because of liability under [section 14-6-110, C.R.S.](#), for a person described in subparagraph (I) or (II) of this paragraph (a);

(IV) Any victim compensation board that has paid a victim compensation claim;

(V) If any person described in subparagraph (I) or (II) of this paragraph (a) is deceased or incapacitated, the person's spouse, parent, legal guardian, natural or adopted child, child living with the victim, sibling, grandparent, significant other, as defined in [section 24-4.1-302 \(4\), C.R.S.](#), or other lawful representative;

(VI) Any person who had to expend resources for the purposes described in subparagraph (I) of paragraph (c) of subsection (3) of this section.

(b) "Victim" shall not include a person who is accountable for the crime or a crime arising from the same conduct, criminal episode, or plan as defined under the law of this state or of the United States.

(c) Any "victim" under the age of eighteen is considered incapacitated, unless that person is legally emancipated or the court orders otherwise.

(d) It is the intent of the general assembly that this definition of the term "victim"

shall apply to this part 6 and shall not be applied to any other provision of the laws of the state of Colorado that refers to the term "victim".

#### COLORADO REVISED STATUTE Section 18-9-202

Cruelty to animals - aggravated cruelty to animals - neglect of animals - offenses

(1) (a) A person commits cruelty to animals if he or she knowingly, recklessly, or with criminal negligence overdrives, overloads, overworks, torments, deprives of necessary sustenance, unnecessarily or cruelly beats, allows to be housed in a manner that results in chronic or repeated serious physical harm, carries or confines in or upon any vehicles in a cruel or reckless manner, engages in a sexual act with an animal, or otherwise mistreats or neglects any animal, or causes or procures it to be done, or, having the charge or custody of any animal, fails to provide it with proper food, drink, or protection from the weather consistent with the species, breed, and type of animal involved, or abandons an animal.

(b) Any person who intentionally abandons a dog or cat commits the offense of cruelty to animals.

(1.5) (a) A person commits cruelty to animals if he or she recklessly or with criminal negligence tortures, needlessly mutilates, or needlessly kills an animal.

(b) A person commits aggravated cruelty to animals if he or she knowingly tortures, needlessly mutilates, or needlessly kills an animal.

(1.6) As used in this section, unless the context otherwise requires:

(a) "Serious physical harm" means any of the following:

(I) Any physical harm that carries a substantial risk of death;

(II) Any physical harm that causes permanent maiming or that involves some temporary, substantial maiming; or

(III) Any physical harm that causes acute pain of a duration that results in substantial suffering.

(1.8) A peace officer having authority to act under this section may take possession of and impound an animal that the peace officer has probable cause to believe is a victim of a violation of subsection (1) or (1.5) of this section or is a victim of a violation of [section 18-9-204](#) and as a result of the violation is endangered if it remains with the owner or custodian. If, in the opinion of a licensed veterinarian, an animal impounded pursuant to this subsection (1.8) is experiencing extreme pain or suffering, or is severely injured past recovery,

severely disabled past recovery, or severely diseased past recovery, the animal may be euthanized without a court order.

(2) (a) Except as otherwise provided in paragraph (b) of this subsection (2), cruelty to animals is a class 1 misdemeanor.

(a.5) (I) Repealed.

(II) In addition to any other sentence imposed for a violation of this section, the court may order an offender to complete an anger management treatment program or any other appropriate treatment program.

(III) The court shall order an evaluation to be conducted prior to sentencing to assist the court in determining an appropriate sentence. The person ordered to undergo an evaluation shall be required to pay the cost of the evaluation, unless the person qualifies for a public defender, then the cost will be paid by the judicial district. If the evaluation results in a recommendation of treatment and if the court so finds, the person shall be ordered to complete an anger management treatment program or any other treatment program that the court may deem appropriate.

(IV) Upon successful completion of an anger management treatment program or any other treatment program deemed appropriate by the court, the court may suspend any fine imposed, except for a five hundred dollar mandatory minimum fine which shall be imposed at the time of sentencing.

(V) In addition to any other sentence imposed upon a person for a violation of any criminal law under this title, any person convicted of a second or subsequent conviction for any crime, the underlying factual basis of which has been found by the court to include an act of cruelty to animals, shall be required to pay a mandatory minimum fine of one thousand dollars and shall be required to complete an anger management treatment program or any other appropriate treatment program.

(VI) Nothing in this paragraph (a.5) shall preclude the court from ordering treatment in any appropriate case.

(VII) This paragraph (a.5) does not apply to the treatment of pack or draft animals by negligently overdriving, overloading, or overworking them, or the treatment of livestock and other animals used in the farm or ranch production of food, fiber, or other agricultural products when such treatment is in accordance with accepted agricultural animal husbandry practices, the treatment of animals involved in activities regulated pursuant to article 60 of title 12, C.R.S., the treatment of animals involved in research if such research facility is operating under rules set forth by the state or federal government, the treatment of animals involved in rodeos, the treatment of dogs used for legal hunting activities, wildlife nuisances,

or to statutes regulating activities concerning wildlife and predator control in the state, including trapping.

(b) (I) A second or subsequent conviction under the provisions of paragraph (a) of subsection (1) of this section is a class 6 felony. A plea of nolo contendere accepted by the court shall be considered a conviction for the purposes of this section.

(II) In any case where the court sentences a person convicted of a class 6 felony under the provisions of this paragraph (b) to probation, the court shall, in addition to any other condition of probation imposed, order that:

(A) The offender, pursuant to [section 18-1.3-202 \(1\)](#), be committed to the county jail for ninety days; or

(B) The offender, pursuant to [section 18-1.3-105 \(3\)](#), be subject to home detention for no fewer than ninety days.

(III) In any case where an offender is committed to the county jail or placed in home detention pursuant to subparagraph (II) of this paragraph (b), the court shall enter judgment against the offender for all costs assessed pursuant to [section 18-1.3-701](#), including, but not limited to, the cost of care.

(c) Aggravated cruelty to animals is a class 6 felony; except that a second or subsequent conviction for the offense of aggravated cruelty to animals is a class 5 felony. A plea of nolo contendere accepted by the court shall be considered a conviction for purposes of this section.

(2.5) It shall be an affirmative defense to a charge brought under this section involving injury or death to a dog that the dog was found running, worrying, or injuring sheep, cattle, or other livestock.

(3) Nothing in this part 2 shall be construed to amend or in any manner change the authority of the wildlife commission, as established in title 33, C.R.S., or to prohibit any conduct therein authorized or permitted.

### **Connecticut:**

Connecticut General Statute Section 53-247

Cruelty to animals. Animals engaged in exhibition of fighting. Intentional injury or killing of police animals or dogs in volunteer canine search and rescue teams.

(a) Any person who overdrives, drives when overloaded, overworks, tortures, deprives of necessary sustenance, mutilates or cruelly beats or kills or unjustifiably injures any animal, or who, having impounded or confined any

animal, fails to give such animal proper care or neglects to cage or restrain any such animal from doing injury to itself or to another animal or fails to supply any such animal with wholesome air, food and water, or unjustifiably administers any poisonous or noxious drug or substance to any domestic animal or unjustifiably exposes any such drug or substance, with intent that the same shall be taken by an animal, or causes it to be done, or, having charge or custody of any animal, inflicts cruelty upon it or fails to provide it with proper food, drink or protection from the weather or abandons it or carries it or causes it to be carried in a cruel manner, or fights with or baits, harasses or worries any animal for the purpose of making it perform for amusement, diversion or exhibition, shall be fined not more than one thousand dollars or imprisoned not more than one year or both.

(b) Any person who maliciously and intentionally maims, mutilates, tortures, wounds or kills an animal shall be fined not more than five thousand dollars or imprisoned not more than five years or both. The provisions of this subsection shall not apply to any licensed veterinarian while following accepted standards of practice of the profession or to any person while following approved methods of slaughter under [section 22-272a](#), while performing medical research as an employee of, student in or person associated with any hospital, educational institution or laboratory, while following generally accepted agricultural practices or while lawfully engaged in the taking of wildlife.

(c) Any person who knowingly (1) owns, possesses, keeps or trains an animal engaged in an exhibition of fighting for amusement or gain, (2) possesses, keeps or trains an animal with the intent that it be engaged in an exhibition of fighting for amusement or gain, (3) permits an act described in subdivision (1) or (2) of this subsection to take place on premises under his control, (4) acts as judge or spectator at an exhibition of animal fighting for amusement or gain, or (5) bets or wagers on the outcome of an exhibition of animal fighting for amusement or gain, shall be fined not more than five thousand dollars or imprisoned not more than five years or both.

(d) Any person who intentionally injures any animal while such animal is in the performance of its duties under the supervision of a peace officer, as defined in [section 53a-3](#), or intentionally injures a dog that is a member of a volunteer canine search and rescue team, as defined in [section 5-249](#), while such dog is in the performance of its duties under the supervision of the active individual member of such team, shall be fined not more than five thousand dollars or imprisoned not more than five years or both.

(e) Any person who intentionally kills any animal while such animal is in the performance of its duties under the supervision of a peace officer, as defined in [section 53a-3](#), or intentionally kills a dog that is a member of a volunteer canine search and rescue team, as defined in [section 5-249](#), while such dog is in the performance of its duties under the supervision of the active individual member of

such team, shall be fined not more than ten thousand dollars or imprisoned not more than ten years or both.

**Delaware:**

Delaware Code Title 11, Section 1250:

Offenses against law-enforcement animals

(a) *Harassment of law-enforcement animals.*

(1) A person is guilty of harassment of a law-enforcement animal when such person intentionally harasses, taunts, menaces, challenges or alarms a law-enforcement animal in such a manner as is likely to provoke from such animal a violent, defensive or threatening response, such as lunging, baring of teeth, kicking, spinning or jumping, if such response from the animal causes alarm, distress, fear or risk of injury to any person or to the animal.

(2) Harassment of a law-enforcement animal is an unclassified misdemeanor.

(b) *Assault in the second degree against a law-enforcement animal.*

(1) A person is guilty of assault in the second degree against a law-enforcement animal when such person intentionally or recklessly engages in conduct which creates a substantial risk of physical injury or death to a law-enforcement animal, including, but not limited to, beating, poisoning or torturing such animal.

(2) Assault in the second degree against a law-enforcement animal is a class A misdemeanor.

(c) *Assault in the first degree against a law-enforcement animal.*

(1) A person is guilty of assault in the first degree against a law-enforcement animal when such person intentionally or recklessly causes serious physical injury or death to such law-enforcement animal.

(2) Assault in the first degree against a law-enforcement animal is a class D felony.

(d) *"Law-enforcement animal" defined.* -- For purposes of this section, the words "law-enforcement animal" shall mean any animal, including, but not limited to, canines, K-9 dogs and horses utilized by any law-enforcement officer, including any corrections officer, in the performance of such officer's duties.

**Florida:**

Florida Statute: 843.19

Offenses against police dogs, fire dogs, SAR dogs, or police horses

(1) As used in this section, the term:

(a) "Police dog" means any dog, and "police horse" means any horse, that is owned, or the service of which is employed, by a law enforcement agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of offenders.

(b) "Fire dog" means any dog that is owned, or the service of which is employed, by a fire department, a special fire district, or the State Fire Marshal for the principal purpose of aiding in the detection of flammable materials or the investigation of fires.

(c) "SAR dog" means any search and rescue dog that is owned, or the service of which is utilized, by a fire department, a law enforcement agency, a special fire district, or the State Fire Marshal for the principal purpose of aiding in the detection of missing persons, including, but not limited to, persons who are lost, who are trapped under debris as the result of a natural, manmade, or technological disaster, or who are drowning victims.

(2) Any person who intentionally and knowingly, without lawful cause or justification, causes great bodily harm, permanent disability, or death to, or uses a deadly weapon upon, a police dog, fire dog, SAR dog, or police horse commits a felony of the third degree, punishable as provided in [s. 775.082](#), [s. 775.083](#), or [s. 775.084](#).

(3) Any person who actually and intentionally maliciously touches, strikes, or causes bodily harm to a police dog, fire dog, SAR dog, or police horse commits a misdemeanor of the first degree, punishable as provided in [s. 775.082](#) or [s. 775.083](#).

(4) Any person who intentionally or knowingly maliciously harasses, teases, interferes with, or attempts to interfere with a police dog, fire dog, SAR dog, or police horse while the animal is in the performance of its duties commits a misdemeanor of the second degree, punishable as provided in [s. 775.082](#) or [s. 775.083](#).

(5) A person convicted of an offense under this section shall make restitution for injuries caused to the police dog, fire dog, SAR dog, or police horse and shall pay the replacement cost of the animal if, as a result of the offense, the animal can no longer perform its duties.

## **Georgia:**

Official Code of Georgia Section 16-11-107

Destroying or injuring police dog or police horse

(a) As used in this Code section, the term:

(1) "Accelerant detection dog" means a dog trained to detect hydrocarbon substances.

(2) "Bomb detection dog" means a dog trained to locate bombs or explosives by scent.

(3) "Firearms detection dog" means a dog trained to locate firearms by scent.

(4) "Narcotic detection dog" means a dog trained to locate narcotics by scent.

(5) "Narcotics" means any controlled substance as defined in paragraph (4) of [Code Section 16-13-21](#) and shall include marijuana as defined by paragraph (16) of [Code Section 16-13-21](#).

(6) "Patrol dog" means a dog trained to protect a peace officer and to apprehend or hold without excessive force a person in violation of the criminal statutes of this state.

(7) "Police dog" means a bomb detection dog, a firearms detection dog, a narcotic detection dog, a patrol dog, an accelerant detection dog, or a tracking dog used by a law enforcement agency. "Police dog" also means a search and rescue dog.

(8) "Police horse" means a horse trained to transport, carry, or be ridden by a law enforcement officer and used by a law enforcement agency.

(8.1) "Search and rescue dog" means any dog that is owned or the services of which are employed by a fire department or the state fire marshal for the principal purpose of aiding in the detection of missing persons, including but not limited to persons who are lost, who are trapped under debris as a result of a natural or manmade disaster, or who are drowning victims.

(9) "Tracking dog" means a dog trained to track and find a missing person, escaped inmate, or fleeing felon.

(b) Any person who knowingly and intentionally destroys or causes serious or

debilitating physical injury to a police dog or police horse, knowing said dog to be a police dog or said horse to be a police horse, shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years, or a fine not to exceed \$10,000.00, or both. This subsection shall not apply to the destruction of a police dog or police horse for humane purposes.

## **Hawaii:**

### Hawaii Revised Statue Section 711-1109.4

Causing injury or death to a guide dog, signal dog, or service animal.

(1) A person commits the offense of causing injury or death to a guide dog, signal dog, or service animal if:

(a) The person recklessly causes injury to or the death of any guide dog, signal dog, or service animal, while the dog is in the discharge of its duties; or

(b) The person is the owner of a dog and recklessly permits that dog to attack a guide dog, signal dog, or service animal while that dog is in the discharge of its duties, resulting in the injury or death of the guide dog, signal dog, or service animal.

(2) Any person who commits the offense of causing injury or death to a guide dog, signal dog, or service animal shall be punished as follows:

(a) For a first offense by a fine of not more than \$2,000, imprisonment of not more than thirty days, or both; and

(b) For a second or subsequent offense by a fine of not more than \$5,000, imprisonment of not more than thirty days, or both.

(3) Any person who is convicted of a violation of this section shall be ordered to make restitution to:

(a) The person with a disability who has custody or ownership of the guide dog, signal dog, or service animal, for any veterinary bills and out-of-pocket costs incurred as a result of the injury to the dog; and

(b) The person or organization that incurs the cost of retraining or replacing the animal, for the cost of retraining or replacing the animal if it is disabled or killed.

(4) As used in this section, "guide dog", "signal dog", and "service animal" shall have the same meaning as in section 515-3(8).

## Hawaii Revised Statute Section 711-1109.5

Intentional interference with the use of a guide dog, signal dog, or service animal.

(1) A person commits the offense of intentional interference with the use of a guide dog, signal dog, or service animal if the person, with no legal justification, intentionally or knowingly:

- (a) Harms a guide dog, signal dog, or service animal; or
- (b) Strikes or kicks a guide dog, signal dog, or service animal;

while the guide dog, signal dog, or service animal is in the discharge of its duties.

(2) Intentional interference with the use of a guide dog, signal dog, or service animal is a misdemeanor.

(3) Nothing in this section is intended to affect any civil remedies available for a violation of this section.

(4) As used in this section, "guide dog", "signal dog", and "service animal" shall have the same meaning as in section 515-3(8).

## **Idaho:**

### Idaho Code Section 18-7039

Killing and otherwise mistreating police dogs, police horses, search and rescue dogs and accelerant detection dogs

(1) Definitions:

(a) "Police dog" shall include:

(i) "Bomb detection dog" means a dog trained to locate bombs or explosives by scent;

(ii) "Narcotic detection dog" means a dog trained to locate narcotics by scent;

(iii) "Patrol dog" means a dog trained to protect a peace officer and to apprehend a person;

(iv) "Tracking dog" means a dog trained to track and find a missing person, escaped inmate or fleeing felon.

(b) "Police horse" means any horse which is owned, or the service of which is employed, by a law enforcement agency for the principal purpose of aiding in detection of criminal activity, enforcement of laws and apprehension of offenders.

(c) "Search and rescue dog" means a dog which is trained to locate lost or missing persons, victims of natural or man-made disasters, and human bodies.

(d) "Accelerant detection dog" means a dog which is used exclusively for accelerant detection, commonly referred to as arson canines.

(2) The provisions of this section shall apply to police dogs and police horses used by peace officers, including any used by a corrections officer in the performance of the officer's duties, and to search and rescue dogs and accelerant detection dogs used by peace officers or certified handlers under the supervision of a peace officer. The provisions of this section shall apply when the animals are on duty and when not on duty.

(3) Any person who willfully and maliciously and with no legal justification, and with intent to inflict such injury or death, personally causes the death, destruction, or serious physical injury including bone fracture, loss or impairment of function of any bodily organ, wounds requiring extensive suturing, or serious crippling, of any police dog, police horse, search and rescue dog or accelerant detection dog, shall be guilty of a felony under this section and shall be punished by imprisonment in the state penitentiary for a period not to exceed five (5) years, or by a fine not to exceed ten thousand dollars (\$ 10,000), or by both such fine and imprisonment.

(4) Any person who willfully, maliciously and with no legal justification, throws, hurls or projects at a police dog, police horse or search and rescue dog, any rock, object or other substance which is used in such a manner as to be capable of producing injury and likely to produce injury or kicks, strikes, beats, or torments any police dog, police horse or search and rescue dog is guilty of a misdemeanor and shall be punished by imprisonment for not more than one (1) year or by a fine not exceeding one thousand dollars (\$ 1,000), or by both such fine and imprisonment.

(5) Any person who willfully and maliciously and with no legal justification, interferes with or obstructs any police dog, police horse or search and rescue dog being used by any peace officer in the discharge of the officer's duties by teasing, agitating, harassing such animals, or who causes another person or persons, animal or animals, to do likewise, is guilty of a misdemeanor and shall be punished by imprisonment for not more than one (1) year or by a fine not exceeding one thousand dollars (\$ 1,000), or by both such fine and imprisonment.

(6) In any case in which a defendant is convicted of a violation of the provisions

of this section, the defendant shall be ordered to make restitution to the agency owning the animal and employing the peace officer for any veterinary bills, replacement costs of the animal if it is disabled or killed, and the salary of the peace officer for the period of time his or her services are lost to the agency.

(7) The provisions of this subsection do not apply to peace officers or veterinarians who terminate the life of such a police dog, police horse or search and rescue dog for the purpose of relieving the police dog, police horse or search and rescue dog of undue pain or suffering.

**Illinois:**

510 Illinois Compiled Statutes (ILCS)

Section 70/2.08

Police animal

Sec. 2.08. Police animal. "Police animal" means any animal owned or used by a law enforcement department or agency in the course of the department or agency's work.

510 ILCS 70/4.03

Teasing, striking or tampering with police animals, service animals, or search and rescue dogs prohibited

Sec. 4.03. Teasing, striking or tampering with police animals, service animals, or search and rescue dogs prohibited. It shall be unlawful for any person to willfully and maliciously taunt, torment, tease, beat, strike, or administer or subject any desensitizing drugs, chemicals or substance to (i) any animal used by a law enforcement officer in the performance of his or her functions or duties, or when placed in confinement off duty, (ii) any service animal, (iii) any search and rescue dog, or (iv) any police, service, or search and rescue animal in training. It is unlawful for any person to interfere or meddle with (i) any animal used by a law enforcement department or agency or any handler thereof in the performance of the functions or duties of the department or agency, (ii) any service animal, (iii) any search and rescue dog, or (iv) any law enforcement, service, or search and rescue animal in training.

Any person convicted of violating this Section is guilty of a Class A misdemeanor. A second or subsequent violation is a Class 4 felony.

510 ILCS 70/4.04

## Injuring or killing police animals, service animals, or search and rescue dogs prohibited

Sec. 4.04. Injuring or killing police animals, service animals, or search and rescue dogs prohibited. It shall be unlawful for any person to willfully or maliciously torture, mutilate, injure, disable, poison, or kill (i) any animal used by a law enforcement department or agency in the performance of the functions or duties of the department or agency or when placed in confinement off duty, (ii) any service animal, (iii) any search and rescue dog, or (iv) any law enforcement, service, or search and rescue animal in training. However, a police officer or veterinarian may perform euthanasia in emergency situations when delay would cause the animal undue suffering and pain.

A person convicted of violating this Section is guilty of a Class 4 felony if the animal is not killed or totally disabled; if the animal is killed or totally disabled, the person is guilty of a Class 3 felony.

### **Indiana:**

Indiana Code Section 35-46-3-11

Law enforcement animal - Mistreatment - Interference with official duties - Restitution.

(a) A person who knowingly or intentionally:

(1) strikes, torments, injures, or otherwise mistreats a law enforcement animal;  
or

(2) interferes with the actions of a law enforcement animal while the animal is engaged in assisting a law enforcement officer in the performance of the officer's duties;

commits a Class A misdemeanor.

(b) An offense under subsection (a)(1) is a Class D felony if the act results in:

(1) serious permanent disfigurement;

(2) unconsciousness;

(3) permanent or protracted loss or impairment of the function of a bodily member or organ; or

(4) death;

of the law enforcement animal.

(c) It is a defense that the accused person:

- (1) engaged in a reasonable act of training, handling, or discipline; and
- (2) acted as an employee or agent of a law enforcement agency.

(d) In addition to any sentence or fine imposed for a conviction of an offense under this section, the court may order the person convicted to make restitution to the person or law enforcement agency owning the animal for reimbursement of:

- (1) veterinary bills; and
- (2) replacement costs of the animal if the animal is disabled or killed.

35-46-3-11.3

Search and rescue dog - Interference with or mistreatment - Defenses - Restitution.

(a) As used in this section, "search and rescue dog" means a dog that receives special training to locate or attempt to locate by air scent or ground or water tracking a person who is an offender or is lost, trapped, injured, or incapacitated.

(b) A person who knowingly or intentionally:

- (1) interferes with the actions of a search and rescue dog while the dog is performing or is attempting to perform a search and rescue task; or
- (2) strikes, torments, injures, or otherwise mistreats a search and rescue dog; commits a Class A misdemeanor.

(c) An offense under subsection (b)(2) is a Class D felony if the act results in:

- (1) serious permanent disfigurement;
- (2) unconsciousness;
- (3) permanent or protracted loss or impairment of the function of a bodily member or organ; or
- (4) death;

of the search and rescue dog.

(d) It is a defense that the accused person:

(1) engaged in a reasonable act of training, handling, or disciplining the search and rescue dog; or

(2) reasonably believed the conduct was necessary to prevent injury to the accused person or another person.

(e) In addition to any sentence or fine imposed for a conviction of an offense under this section, the court may order the person to make restitution to the person who owns the search and rescue dog for reimbursement of:

(1) veterinary bills; and

(2) replacement costs of the dog if the dog is disabled or killed.

**Iowa:**

Iowa Code Section 717B.9

Injury or interference with a police service dog.

1. A person who knowingly, and willfully or maliciously torments, strikes, administers a nonpoisonous desensitizing substance to, or otherwise interferes with a police service dog, without inflicting serious injury on the dog, commits a serious misdemeanor.

2. A person who knowingly, and willfully or maliciously does any of the following commits a class "D" felony:

a. Tortures a police service dog.

b. Injures, so as to disfigure or disable, a police service dog.

c. Sets a booby trap device for purposes of injuring, so as to disfigure or disable, or killing a police service dog.

d. Pays or agrees to pay a bounty for purposes of injury, so as to disfigure or disable, or killing a police service dog.

e. Kills a police service dog.

f. Administers poison to a police service dog.

3. As used in this section, "*police service dog*" means a dog used by a peace officer or correctional officer in the performance of the officer's duties, whether or not the dog is on duty.

4. This section does not apply to a peace officer or veterinarian who terminates the life of such a dog for the purpose of relieving the dog of undue pain or suffering, or to a person who justifiably acts in defense of self or another.

**Kansas:**

Kansas Statute Section 21-4318

Harming or killing certain dogs.

(a) Inflicting harm, disability or death to a police dog, arson dog, assistance dog, game warden dog or search and rescue dog is knowingly and intentionally, and without lawful cause or justification poisoning, inflicting great bodily harm, permanent disability or death, upon a police dog, arson dog, assistance dog, game warden dog or search and rescue dog.

(b) As used in this section:

(1) "Arson dog" means any dog which is owned, or the service of which is employed, by the state fire marshal or a fire department for the principal purpose of aiding in the detection of liquid accelerants in the investigation of fires.

(2) "Assistance dog" has the meaning provided by [K.S.A. 2006 Supp. 39-1113](#), and amendments thereto.

(3) "Fire department" means a public fire department under the control of the governing body of a city, township, county, fire district or benefit district or a private fire department operated by a nonprofit corporation providing fire protection services for a city, township, county, fire district or benefit district under contract with the governing body of the city, township, county or district.

(4) "Game warden dog" means any dog which is owned, or the service of which is employed, by the department of wildlife and parks for the purpose of aiding in detection of criminal activity, enforcement of laws, apprehension of offenders or location of persons or wildlife.

(5) "Police dog" means any dog which is owned, or the service of which is employed, by a law enforcement agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws or apprehension of offenders.

(6) "Search and rescue dog" means any dog which is owned or the service of

which is employed, by a law enforcement or emergency response agency for the purpose of aiding in the location of persons missing in disasters or other times of need.

(c) Inflicting harm, disability or death to a police dog, arson dog, assistance dog, game warden dog or search and rescue dog is a nonperson felony. Upon conviction of this subsection, a person shall be sentenced to not less than 30 days or more than one year's imprisonment and be fined not less than \$ 500 nor more than \$ 5,000. During the mandatory 30 days imprisonment, such offender shall have a psychological evaluation prepared for the court to assist the court in determining conditions of probation. Such conditions shall include, but not be limited to, the completion of an anger management program.

(d) This section shall be part of and supplemental to the Kansas criminal code.

### **Kentucky:**

Kentucky Penal Code, (Kentucky Revised Statue) KRS Section 525.010

Definitions for chapter.

The following definitions apply in this chapter unless the context otherwise requires:

(1) "Desecrate" means defacing, damaging, polluting, or otherwise physically mistreating in a way that the actor knows will outrage the sensibilities of persons likely to observe or discover his action.

(2) "Public" means affecting or likely to affect a substantial group of persons.

(3) "Public place" means a place to which the public or a substantial group of persons has access and includes but is not limited to highways, transportation facilities, schools, places of amusements, parks, places of business, playgrounds, and hallways, lobbies, and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence. An act is deemed to occur in a public place if it produces its offensive or proscribed consequences in a public place.

(4) "Transportation facility" means any conveyance, premises, or place used for or in connection with public passenger transportation by air, railroad, motor vehicle, or any other method. It includes aircraft, watercraft, railroad cars, buses, and air, boat, railroad, and bus terminals and stations and all appurtenances thereto.

(5) "Riot" means a public disturbance involving an assemblage of five (5) or more persons which by tumultuous and violent conduct creates grave danger of

damage or injury to property or persons or substantially obstructs law enforcement or other government function.

(6) "Service animal" includes a:

(a) "Bomb detection dog," which means a dog that is trained to locate bombs or explosives by scent;

(b) "Narcotic detection dog," which means a dog that is trained to locate narcotics by scent;

(c) "Patrol dog," which means a dog that is trained to protect a peace officer and to apprehend a person;

(d) "Tracking dog," which means a dog that is trained to track and find a missing person, escaped inmate, or fleeing felon;

(e) "Search and rescue dog," which means a dog that is trained to locate lost or missing persons, victims of natural or man-made disasters, and human bodies;

(f) "Accelerant detection dog," which means a dog that is trained for accelerant detection, commonly referred to as arson canines;

(g) "Cadaver dog," which means a dog that is trained to find human remains;

(h) "Assistance dog," which means any dog that is trained to meet the requirements of [KRS 258.500](#);

(i) Any dog that is trained in more than one (1) of the disciplines specified in paragraphs (a) to (h) of this subsection; or

(j) "Police horse," which means any horse that is owned, or the service of which is employed, by a law enforcement agency for the principal purpose of aiding in detection of criminal activity, enforcement of laws, and apprehension of offenders.

KRS § 525.200

Assault on a service animal in the first degree.

(1) A person is guilty of assault on a service animal in the first degree when he intentionally and without legal justification or lawful authority kills or causes physical injury to a service animal to the extent that a service animal becomes physically incapable of ever returning to service.

(2) Assault on a service animal in the first degree is a Class D felony.

KRS § 525.205

Assault on a service animal in the second degree.

(1) A person is guilty of assault on a service animal in the second degree when he intentionally and without legal justification or lawful authority causes physical injury to a service animal.

(2) Assault on a service animal in the second degree is a Class B misdemeanor.

KRS § 525.210

Duty status of service animal not a factor in application of KRS 525.200 and 525.205.

[KRS 525.200](#) and [KRS 525.205](#) shall apply whether or not the service animal is on duty or off duty.

KRS § 525.215

Defendant's liability for damages upon conviction of assault on a service animal.

In any case in which a defendant is convicted of a violation of the provisions of [KRS 525.200](#) or [525.205](#), the defendant may be ordered to make restitution to the person or agency owning the animal for any veterinary bills, replacement costs of the animal if it is disabled or killed, and the salary of the animal handler for the period of time his services are lost to the agency or self-employment.

KRS § 525.220

Bars and defenses to conviction of assault on a service animal.

No person shall be convicted of assault on a service animal when:

(1) He has also been convicted of a violation of [KRS 525.125](#), [525.130](#), [512.020](#), [512.030](#), or [512.040](#) arising out of the same incident; or

(2) He has destroyed or treated a service animal that is injured, diseased, or suffering or that constitutes a hazard to public safety if not destroyed; or

(3) He has used physical force against the service animal in protection of himself or a third person; or

(4) He has used physical force without knowledge that the animal was a service animal.

**Louisiana:**

Louisiana Revised Statute Section 14:102.8

Injuring or killing of a police animal

A. Injuring or killing of a police animal is the intentional infliction of great bodily harm, permanent disability, or death upon a police animal.

B. As used in this Section:

(1) "Police animal" means:

(a) Any dog which is owned or the service of which is used by any state or local law enforcement agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of offenders.

(b) Any dog which is owned or the service of which is used by any public safety agency and which is trained in accordance with the standards of a national or regional search and rescue association to respond to instructions from its handler in the search for possibly deceased individuals and in the search and rescue of lost or missing individuals and which dog, together with its handler, is prepared to render search and rescue services at the request of a public safety agency.

(c) Any horse which is used by a state or local law enforcement officer in the course of his official duty.

(2) "Public safety agency" means any agency of the state or political subdivision of the state which provides or has authority to provide law enforcement, fire protection, emergency medical services, emergency preparedness services, or any other type of emergency services.

C. It shall be an affirmative defense to a prosecution under this Section when the injuring or killing of a police animal is committed with the reasonable belief by one not involved in or being apprehended for the commission of any offense or by one taken into custody that:

(1) He is in imminent danger of losing his life or receiving great bodily harm and that the injuring or killing is necessary to save himself from that danger.

(2) Another person not involved in or being apprehended for the commission of any offense is in imminent danger of losing his life or receiving great bodily harm

and that the injury or killing is necessary to save that person from that danger.

(3) His animal or other property not involved in the commission of any offense or in the apprehension of any person for an offense is in imminent danger of being destroyed or receiving grave injury or damage that may result in its destruction.

D. (1) Whoever commits the crime of injuring or killing of a police animal shall be fined not less than two thousand five hundred dollars nor more than three thousand five hundred dollars, or imprisoned with or without hard labor for not less than one year nor more than three years, or both.

(2) Upon a second or subsequent conviction, regardless of whether the second or subsequent offense occurred before or after the first conviction, the offender shall be fined not less than two thousand five hundred dollars and not more than three thousand five hundred dollars, or imprisoned with or without hard labor for not less than five years nor more than seven years, or both.

E. In addition to the foregoing penalties, a person convicted under this Section may be ordered to make full restitution to the public safety agency suffering a financial loss from the injury or killing of a police animal. If a person ordered to make restitution pursuant to this Section is found to be indigent and therefore unable to make restitution in full at the time of conviction, the court shall order a periodic payment plan consistent with the person's financial ability.

**Maine:**

17 Maine Revised Statute Section 752-B

Unlawful interference with law enforcement dogs

1. A person is guilty of unlawful interference with a law enforcement dog if the person intentionally or knowingly:

A. Kills, mutilates or permanently disables any dog that is in fact certified for law enforcement use and that the person knows or reasonably should have known is used for law enforcement purposes. Violation of this paragraph is a Class C crime; or

B. Torments, beats, strikes, injures, temporarily disables or otherwise mistreats any dog that is in fact certified for law enforcement use and that the person knows or reasonably should have known is used for law enforcement purposes. Violation of this paragraph is a Class D crime.

2. For the purposes of this section, a dog is certified for law enforcement use if the State has certified that the dog has satisfactorily completed requisite training for one or more law enforcement purposes.

**Maryland:**

Maryland Criminal Law Code Section 10-606

Aggravated cruelty to animals -- In general

(a) Prohibited. -- A person may not:

(1) intentionally mutilate, torture, cruelly beat, or cruelly kill an animal;

(2) cause, procure, or authorize an act prohibited under item (1) of this subsection; or

(3) except in the case of self-defense, intentionally inflict bodily harm, permanent disability, or death on an animal owned or used by a law enforcement unit.

(b) Penalty. --

(1) A person who violates this section is guilty of the felony of aggravated cruelty to animals and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$ 5,000 or both.

(2) As a condition of sentencing, the court may order a defendant convicted of violating this section to participate in and pay for psychological counseling.

**Massachusetts:**

Laws of Massachusetts Chapter 272 Section 77A

Willful Injury of Police Dogs and Horses.

Whoever willfully tortures, torments, beats, kicks, strikes, mutilates, injures, disables or otherwise mistreats, a dog or horse owned by a police department or police agency of the commonwealth or any of its political subdivisions or whoever, willfully by any action whatsoever, interferes with the lawful performance of such dog or horse shall be punished by a fine of not less than one hundred dollars and not more than five hundred dollars or by imprisonment for not more than two and one-half years or both. Persons violating this section may be arrested without a warrant by any officer qualified to serve criminal process provided said offense is committed in his presence.

## Michigan:

### Michigan Penal Code Section 750.50c

Police dog or police horse; definitions; violation as felony or misdemeanor; penalty; other violations.

Sec. 50c. (1) As used in this section:

(a) "Dog handler" means a peace officer who has successfully completed training in the handling of a police dog pursuant to a policy of the law enforcement agency that employs that peace officer.

(b) "Physical harm" means any injury to a dog's or horse's physical condition.

(c) "Police dog" means a dog used by a law enforcement agency of this state or of a local unit of government of this state that is trained for law enforcement work and subject to the control of a dog handler.

(d) "Police horse" means a horse used by a law enforcement agency of this state or of a local unit of government of this state for law enforcement work.

(e) "Search and rescue dog" means a dog that is trained for, being trained for, or engaged in a search and rescue operation.

(f) "Search and rescue operation" means an effort conducted at the direction of an agency of this state or of a political subdivision of this state to locate or rescue a lost, injured, or deceased individual.

(g) "Serious physical harm" means any injury to a dog's or horse's physical condition or welfare that is not necessarily permanent but that constitutes substantial body disfigurement, or that seriously impairs the function of a body organ or limb.

(2) A person shall not intentionally kill or cause serious physical harm to a police dog or police horse or a search and rescue dog .

(3) A person shall not intentionally cause physical harm to a police dog or police horse or a search and rescue dog .

(4) A person shall not intentionally harass or interfere with a police dog or police horse or search and rescue dog lawfully performing its duties.

(5) A person who violates subsection (2) is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00 , or both.

(6) Except as provided in subsection (7), a person who violates subsection (3) or (4) is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$5,000.00 , or both.

(7) A person who violates subsection (3) or (4) while committing a crime is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$15,000.00 , or both.

(8) This section does not prohibit an individual from being charged with, convicted of, or punished for any other violation of law committed by that individual while violating this section.

## **Minnesota:**

Minnesota Statute Section 609.596

### **KILLING OR HARMING A PUBLIC SAFETY DOG**

#### **Subdivision 1. Felony.**

It is a felony for any person to intentionally and without justification cause the death of a police dog, a search and rescue dog, or an arson dog when the dog is involved in law enforcement, fire, or correctional investigation or apprehension, search and rescue duties, or the dog is in the custody of or under the control of a peace officer, a trained handler, or an employee of a correctional facility. A person convicted under this subdivision may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both. In lieu of a fine, the court may order the defendant to pay restitution to the owner to replace the police dog, search and rescue dog, or arson dog, in an amount not to exceed \$5,000.

#### **Subd. 2. Gross misdemeanor.**

It is a gross misdemeanor for any person to intentionally and without justification cause substantial or great bodily harm to a police dog, search and rescue dog, or an arson dog when the dog is involved in law enforcement, fire, or correctional investigation or apprehension, search and rescue duties, or the dog is in the custody of or under the control of a peace officer, a trained handler, or an employee of a correctional facility.

#### **Subd. 3. Definitions.**

As used in this section:

- (1) "arson dog" means a dog that has been certified as an arson dog by a state fire or police agency or by an independent testing laboratory;
- (2) "correctional facility" has the meaning given in section 241.021, subdivision 1, paragraph (f);
- (3) "peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c); and
- (4) "search and rescue dog" means a dog that is trained to locate lost or missing persons, victims of natural or other disasters, and human bodies.

## **Mississippi:**

Mississippi Code Section 97-41-23

Injury and killing of public service animals; penalties

(1) It is unlawful for any person to willfully and maliciously taunt, torment, tease, beat, strike, or to administer, expose or inject any desensitizing drugs, chemicals or substance to any public service animal. Any person who violates this section is guilty of a misdemeanor, and upon conviction thereof shall be fined not more than Two Hundred Dollars (\$ 200.00) and be imprisoned not more than five (5) days, or both.

(2) Any person who, without just cause, purposely kills or injures any public service animal is guilty of a felony and upon conviction shall be fined not more than Five Thousand Dollars (\$ 5,000.00) and be imprisoned not more than five (5) years, or both.

(3) For purposes of this section, the term "public service animal" means any animal trained and used to assist a law enforcement agency, public safety entity or search and rescue agency.

(4) Any person guilty of violating subsection (2) of this section shall also be required to make restitution to the law enforcement agency or owner aggrieved thereby.

(5) The provisions of this section shall not apply to the lawful practice of veterinary medicine.

## **Missouri:**

Missouri Revised Statute Section 575.010

Definitions

The following definitions shall apply to this chapter and chapter 576, RSMo:

(1) "Affidavit" means any written statement which is authorized or required by law to be made under oath, and which is sworn to before a person authorized to administer oaths;

(2) "Government" means any branch or agency of the government of this state or of any political subdivision thereof;

(3) "Highway" means any public road or thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or

alleys in any municipality;

(4) "Judicial proceeding" means any official proceeding in court, or any proceeding authorized by or held under the supervision of a court;

(5) "Juror" means a grand or petit juror, including a person who has been drawn or summoned to attend as a prospective juror;

(6) "Jury" means a grand or petit jury, including any panel which has been drawn or summoned to attend as prospective jurors;

(7) "Official proceeding" means any cause, matter, or proceeding where the laws of this state require that evidence considered therein be under oath or affirmation;

(8) "Police animal" means a dog, horse or other animal used in law enforcement or a correctional facility, or by a municipal police department, fire department, search and rescue unit or agency, whether the animal is on duty or not on duty. The term shall include, but not be limited to, accelerant detection dogs, bomb detection dogs, narcotic detection dogs, search and rescue dogs and tracking animals;

(9) "Public record" means any document which a public servant is required by law to keep;

(10) "Testimony" means any oral statement under oath or affirmation;

(11) "Victim" means any natural person against whom any crime is deemed to have been perpetrated or attempted;

(12) "Witness" means any natural person:

(a) Having knowledge of the existence or nonexistence of facts relating to any crime; or

(b) Whose declaration under oath is received as evidence for any purpose; or

(c) Who has reported any crime to any peace officer or prosecutor; or

(d) Who has been served with a subpoena issued under the authority of any court of this state.

Section 575.350

Killing or disabling a police animal--penalty

1. A person commits the crime of killing or disabling a police animal when such person knowingly causes the death of a police animal, or knowingly disables a police animal to the extent it is unable to be utilized as a police animal, when that animal is involved in a law enforcement investigation, apprehension, tracking, or search and rescue, or the animal is in the custody of or under the control of a law enforcement officer, department of corrections officer, municipal police department, fire department and a rescue unit or agency.

2. Killing or disabling a police animal is a class D felony.

#### Section 575.353

#### Assault on a police animal--penalty

1. A person commits the crime of assault on a police animal when such person knowingly attempts to kill or disable or knowingly causes or attempts to cause serious physical injury to a police animal when that animal is involved in law enforcement investigation, apprehension, tracking, or search, or the animal is in the custody of or under the control of a law enforcement officer, department of corrections officer, municipal police department, fire department or a rescue unit or agency.

2. Assault on a police animal is a class C misdemeanor.

#### **Montana:**

#### Montana Code Section 45-8-209

#### Harming a police dog -- penalty -- definition.

(1) A person commits the offense of harming a police dog if the person purposely or knowingly shoots, kills, or otherwise injures a police dog being used by a:

(a) law enforcement officer in discharging or attempting to discharge a legal duty in a reasonable and proper manner; or

(b) person while the person is under the control of and acting under the direction of an officer of an official law enforcement agency during the performance of the agency's law enforcement or search and rescue duties.

(2) A person convicted of the offense of harming a police dog may be fined an amount not to exceed \$ 5,000 or be imprisoned in the state prison for a term not to exceed 1 year, or both.

(3) As used in this section, the following definitions apply:

(a) "Law enforcement officer" means a person who is a peace officer, as defined in [46-1-202](#), or any other agent of a criminal justice agency.

(b) "Police dog" means a dog that is:

(i) used by a law enforcement agency, as defined in [44-11-303](#), in the exercise of its authority;

(ii) specifically trained for law enforcement or search and rescue work; and

(iii) under the control of a law enforcement officer.

Montana Code Section 46-1-202

(17) "Peace officer" means any person who by virtue of the person's office or public employment is vested by law with a duty to maintain public order and make arrests for offenses while acting within the scope of the person's authority.

Montana Code Section 44-11-303

(1) "Law enforcement agency" means a public agency lawfully established by statute or executive order that is responsible for the prevention and detection of crime and the enforcement of penal, traffic, regulatory, or game laws.

## **Nebraska:**

Revised Statutes of Nebraska Section 28-1009

Abandonment; cruel neglect; harassment of a police animal; penalty.

(1) A person who intentionally, knowingly, or recklessly abandons or cruelly neglects an animal is guilty of a Class I misdemeanor unless the abandonment or cruel neglect results in serious injury or illness or death of the animal, in which case it is a Class IV felony.

(2) (a) Except as provided in subdivision (b) of this subsection, a person who cruelly mistreats an animal is guilty of a Class I misdemeanor for the first offense and a Class IV felony for any subsequent offense.

(b) A person who cruelly mistreats an animal is guilty of a Class IV felony if such cruel mistreatment involves the knowing and intentional torture, repeated beating, or mutilation of the animal.

(3) A person commits harassment of a police animal if he or she knowingly and

intentionally teases or harasses a police animal in order to distract, agitate, or harm the police animal for the purpose of preventing such animal from performing its legitimate official duties. Harassment of a police animal is a Class IV misdemeanor unless the harassment is the proximate cause of the death of the police animal, in which case it is a Class IV felony.

**Nevada:**

Nevada Revised Statute Section 574.050

Definitions.

As used in [NRS 574.050 to 574.200](#), inclusive:

1. "Animal" does not include the human race, but includes every other living creature.
2. "Police animal" means an animal which is owned or used by a state or local governmental agency and which is used by a peace officer in performing his duties as a peace officer.
3. "Torture" or "cruelty" includes every act, omission or neglect, whereby unjustifiable physical pain, suffering or death is caused or permitted.

Nevada Revised Statute Section 574.105

Mistreatment of police animal and interference with duties of police animal or handler unlawful; penalties; exception.

1. A person shall not willfully and maliciously:
  - (a) Taunt, torment, tease, beat, strike or administer a desensitizing drug, chemical or substance to a police animal;
  - (b) Interfere with a police animal or a handler thereof in the performance of duties assigned to the police animal or handler; or
  - (c) Torture, mutilate, injure, poison, disable or kill a police animal.
2. A person who violates:
  - (a) Paragraph (a) or (b) of subsection 1 is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).
  - (b) Paragraph (c) of subsection 1 is guilty of:

(1) If the police animal is not totally disabled or killed, a category D felony and shall be punished as provided in [NRS 193.130](#), and may be further punished by a fine of not more than \$10,000.

(2) If the police animal is totally disabled or killed, a category C felony and shall be punished as provided in [NRS 193.130](#). In addition to the punishment imposed pursuant to this subparagraph, the court may require a person who is punished pursuant to this subparagraph to pay restitution to the agency that owns the police animal, including, without limitation, payment for veterinary services and the cost of replacing the police animal.

3. The provisions of this section do not prohibit a euthanasia technician licensed pursuant to chapter 638 of NRS, a peace officer or a veterinarian from euthanizing a police animal in an emergency if the police animal is critically wounded and would otherwise endure undue suffering and pain.

#### Nevada Revised Statute Section 651.075

Rights, duties and liabilities of persons training or accompanied by service animal, service animal in training or police dog; unlawful acts; rights of place of accommodation; unmuzzled animal may not be presumed dangerous; person subject to same conditions and limitations as others; remedies.

1. It is unlawful for a place of public accommodation to:

(a) Refuse admittance or service to a person with a disability because he is accompanied by a service animal.

(b) Refuse admittance or service to a person training a service animal.

(c) Refuse to permit an employee of the place of public accommodation who is training a service animal to bring the service animal into:

(1) The place of public accommodation; or

(2) Any area within the place of public accommodation to which employees of the place of public accommodation have access, regardless of whether the area is open to the public.

(d) Refuse admittance or service to a person because he is accompanied by a police dog.

(e) Charge an additional fee or deposit for a service animal, service animal in training or a police dog as a condition of access to the place of public accommodation.

- (f) Require proof that an animal is a service animal or service animal in training.
2. A place of public accommodation may:
- (a) Ask a person accompanied by an animal:
    - (1) If the animal is a service animal or service animal in training; and
    - (2) What tasks the animal is trained to perform or is being trained to perform.
  - (b) Ask a person to remove a service animal or service animal in training if the animal:
    - (1) Is out of control and the person accompanying the animal fails to take effective action to control it; or
    - (2) Poses a direct threat to the health or safety of others.
3. A service animal may not be presumed dangerous by reason of the fact it is not muzzled.
4. This section does not relieve:
- (a) A person with a disability who is accompanied by a service animal or a person who trains a service animal from liability for damage caused by the service animal.
  - (b) A person who is accompanied by a police dog from liability for damage caused by the police dog.
5. Persons with disabilities who are accompanied by service animals are subject to the same conditions and limitations that apply to persons who are not so disabled and accompanied.
6. Persons who are accompanied by police dogs are subject to the same conditions and limitations that apply to persons who are not so accompanied.
7. A person who violates paragraph (e) of subsection 1 is civilly liable to the person against whom the violation was committed for:
- (a) Actual damages;
  - (b) Such punitive damages as may be determined by a jury, or by a court sitting without a jury, which must not be more than three times the amount of actual damages, except that in no case may the punitive damages be less than \$750; and

(c) Reasonable attorney's fees as determined by the court.

8. The remedies provided in this section are nonexclusive and are in addition to any other remedy provided by law, including, without limitation, any action for injunctive or other equitable relief available to the aggrieved person or brought in the name of the people of this State or the United States.

9. As used in this section:

(a) "Police dog" means a dog which is owned by a state or local governmental agency and which is used by a peace officer in performing his duties as a peace officer.

(b) "Service animal" has the meaning ascribed to it in [NRS 426.097](#).

(c) "Service animal in training" has the meaning ascribed to it in [NRS 426.099](#).

### **New Hampshire:**

New Hampshire Revised Statue Section (RSA) 644:8-d

Maiming or Causing the Death of or Willful Interference with Police Dogs or Horses.

I. Whoever willfully tortures, beats, kicks, strikes, mutilates, injures, disables, or otherwise mistreats, or whoever willfully causes the death of a dog or horse owned or employed by or on behalf of a law enforcement agency and whoever knows that such dog or horse is owned or employed by or on behalf of a law enforcement agency shall be guilty of a class B felony.

II. Whoever willfully interferes or attempts to interfere with the lawful performance of a dog or horse owned or employed by or on behalf of a law enforcement agency and whoever knows that such dog or horse is owned or employed by or on behalf of a law enforcement agency shall be guilty of a misdemeanor.

### **New Jersey:**

New Jersey Statute Section 2C:29-3.1

Animal owned, used by law enforcement agency, search and rescue dog, infliction of harm upon, interference with officer, degree of crime, penalties

Any person who purposely kills a dog, horse or other animal owned or used by a law enforcement agency or a search and rescue dog shall be guilty of a crime of the third degree. Any person who purposely maims or otherwise inflicts harm

upon a dog, horse or other animal owned or used by a law enforcement agency or a search and rescue dog shall be guilty of a crime of the fourth degree. Any person who interferes with any law enforcement officer using an animal in the performance of his official duties commits a disorderly persons offense, subject to a sentence of six months' imprisonment, some or all of which may be community service, restitution and a \$ 1,000.00 fine.

As used in this section, "search and rescue dog" means any dog trained or being trained for the purpose of search and rescue that is owned by an independent handler or member of a search and rescue team, and used in conjunction with local law enforcement or emergency services organizations for the purpose of locating missing persons or evidence of arson.

### **New Mexico:**

New Mexico Statute Section 30-18-13

Injury to a police dog, police horse or fire dog; harassment of a police dog, police horse or fire dog

A. As used in this section:

(1) "fire dog" means a dog used by a fire department, special fire district or the state fire marshal for the primary purpose of aiding in the detection of flammable materials or the investigation of fires;

(2) "police dog" means a dog used by a law enforcement or corrections agency that is specially trained for law enforcement or corrections work in the areas of tracking, suspect apprehension, crowd control or drug or explosives detection; and

(3) "police horse" means a horse that is used by a law enforcement or corrections agency for law enforcement or corrections work.

B. Injury to a police dog, police horse or fire dog consists of willfully and with intent to injure or prevent the lawful performance of its official duties:

(1) striking, beating, kicking, cutting, stabbing, shooting or administering poison or any other harmful substance to a police dog, police horse or fire dog; or

(2) throwing or placing an object or substance in a manner that is likely to produce injury to a police dog, police horse or fire dog.

C. Whoever commits injury to a police dog, police horse or fire dog when the injury causes the animal minor physical injury or pain is guilty of a petty misdemeanor and shall be sentenced pursuant to the provisions of [Section 31-](#)

[19-1 NMSA](#) 1978.

D. Whoever commits injury to a police dog, police horse or fire dog when the injury causes the animal serious physical injury or death or directly causes the destruction of the animal is guilty of a fourth degree felony and shall be sentenced pursuant to the provisions of [Section 31-18-15 NMSA](#) 1978.

E. A person convicted of injury to a police dog, police horse or fire dog may be ordered to make restitution for the animal's veterinary bills or replacement costs of the animal if it is permanently disabled, killed or destroyed.

F. Harassment of a police dog, police horse or fire dog consists of a person willfully and maliciously interfering with or obstructing a police dog, police horse or fire dog by frightening, agitating, harassing or hindering the animal.

G. Whoever commits harassment of a police dog, police horse or fire dog is guilty of a misdemeanor and shall be sentenced pursuant to the provisions of [Section 31-19-1 NMSA](#) 1978.

H. Whoever commits harassment of a police dog, police horse or fire dog that results in bodily injury to a person not an accomplice to the criminal offense is guilty of a misdemeanor and shall be sentenced pursuant to the provisions of [Section 31-19-1 NMSA](#) 1978.

I. It is an affirmative defense to a prosecution brought pursuant to the provisions of this section that a police dog, police horse or fire dog was not handled in accordance with well-recognized national handling procedures or was handled in a manner contrary to its own department's handling policies and procedures.

#### **New York:**

New York Penal Section 195.06

Killing or injuring a police animal

A person is guilty of killing or injuring a police animal when such person intentionally kills or injures any animal while such animal is in the performance of its duties and under the supervision of a police or peace officer.

Killing or injuring a police animal is a class A misdemeanor.

#### **North Carolina:**

North Carolina General Statute Section 14-163.1

## Assaulting a law enforcement agency animal or an assistance animal

(a) The following definitions apply in this section:

(1) Assistance animal. -- An animal that is trained and may be used to assist a "person with a disability" as defined in [G.S. 168A-3](#). The term "assistance animal" is not limited to a dog and includes any animal trained to assist a person with a disability as provided in Article 1 of Chapter 168 of the General Statutes.

(2) Law enforcement agency animal. -- An animal that is trained and may be used to assist a law enforcement officer in the performance of the officer's official duties.

(3) Harm. -- Any injury, illness, or other physiological impairment; or any behavioral impairment that impedes or interferes with duties performed by a law enforcement agency animal or an assistance animal.

(4) Serious harm. -- Harm that does any of the following:

a. Creates a substantial risk of death.

b. Causes maiming or causes substantial loss or impairment of bodily function.

c. Causes acute pain of a duration that results in substantial suffering.

d. Requires retraining of the law enforcement agency animal or assistance animal.

e. Requires retirement of the law enforcement agency animal or assistance animal from performing duties.

(a1) Any person who knows or has reason to know that an animal is a law enforcement agency animal or an assistance animal and who willfully kills the animal is guilty of a Class H felony.

(b) Any person who knows or has reason to know that an animal is a law enforcement agency animal or an assistance animal and who willfully causes or attempts to cause serious harm to the animal is guilty of a Class I felony.

(c) Unless the conduct is covered under some other provision of law providing greater punishment, any person who knows or has reason to know that an animal is a law enforcement agency animal or an assistance animal and who willfully causes or attempts to cause harm to the animal is guilty of a Class 1 misdemeanor.

(d) Unless the conduct is covered under some other provision of law providing greater punishment, any person who knows or has reason to know that an animal is a law enforcement agency animal or an assistance animal and who willfully taunts, teases, harasses, delays, obstructs, or attempts to delay or obstruct the animal in the performance of its duty as a law enforcement agency animal or assistance animal is guilty of a Class 2 misdemeanor.

(d1) A defendant convicted of a violation of this section shall be ordered to make restitution to the person with a disability, or to a person, group, or law enforcement agency who owns or is responsible for the care of the law enforcement agency animal for any of the following as appropriate:

(1) Veterinary, medical care, and boarding expenses for the assistance animal or law enforcement animal.

(2) Medical expenses for the person with the disability relating to the harm inflicted upon the assistance animal.

(3) Replacement and training or retraining expenses for the assistance animal or law enforcement animal.

(4) Expenses incurred to provide temporary mobility services to the person with a disability.

(5) Wages or income lost while the person with a disability is with the assistance animal receiving training or retraining.

(6) The salary of the law enforcement agency animal handler as a result of the lost services to the agency during the time the handler is with the law enforcement agency animal receiving training or retraining.

(7) Any other expense reasonably incurred as a result of the offense.

(e) This section shall not apply to a licensed veterinarian whose conduct is in accordance with Article 11 of Chapter 90 of the General Statutes.

(f) Self-defense is an affirmative defense to a violation of this section.

(g) Nothing in this section shall affect any civil remedies available for violation of this section.

### **North Dakota:**

North Dakota Century Code Section 12.1-17-09

Killing or injury of certified, law enforcement support dog - Definition - Penalty.

A person is guilty of a class A misdemeanor and is subject to a civil penalty of up to ten thousand dollars if that person willfully and unjustifiably kills, shoots, tortures, torments, beats, kicks, strikes, mutilates, disables, or otherwise injures a certified, law enforcement support dog. For purposes of this section, "certified, law enforcement support dog" means any dog used by a law enforcement officer in the performance of the officer's functions and duties, regardless of whether the dog is on or off duty. This section does not apply to a law enforcement officer or a veterinarian who terminates the life of a certified, law enforcement support dog to relieve the dog of undue suffering and pain.

**Ohio:**

Ohio Revised Code (ORC) Section 2921.321

Assaulting or harassing police dog or horse or assistance dog

(A) No person shall knowingly cause, or attempt to cause, physical harm to a police dog or horse in either of the following circumstances:

(1) The police dog or horse is assisting a law enforcement officer in the performance of the officer's official duties at the time the physical harm is caused or attempted.

(2) The police dog or horse is not assisting a law enforcement officer in the performance of the officer's official duties at the time the physical harm is caused or attempted, but the offender has actual knowledge that the dog or horse is a police dog or horse.

(B) No person shall recklessly do any of the following:

(1) Taunt, torment, or strike a police dog or horse;

(2) Throw an object or substance at a police dog or horse;

(3) Interfere with or obstruct a police dog or horse, or interfere with or obstruct a law enforcement officer who is being assisted by a police dog or horse, in a manner that does any of the following:

(a) Inhibits or restricts the law enforcement officer's control of the police dog or horse;

(b) Deprives the law enforcement officer of control of the police dog or horse;

(c) Releases the police dog or horse from its area of control;

(d) Enters the area of control of the police dog or horse without the consent of

the law enforcement officer, including placing food or any other object or substance into that area;

(e) Inhibits or restricts the ability of the police dog or horse to assist a law enforcement officer.

(4) Engage in any conduct that is likely to cause serious physical injury or death to a police dog or horse;

(5) If the person is the owner, keeper, or harbinger of a dog, fail to reasonably restrain the dog from taunting, tormenting, chasing, approaching in a menacing fashion or apparent attitude of attack, or attempting to bite or otherwise endanger a police dog or horse that at the time of the conduct is assisting a law enforcement officer in the performance of the officer's duties or that the person knows is a police dog or horse.

(C) No person shall knowingly cause, or attempt to cause, physical harm to an assistance dog in either of the following circumstances:

(1) The dog is assisting or serving a blind, deaf or hearing impaired, or mobility impaired person at the time the physical harm is caused or attempted.

(2) The dog is not assisting or serving a blind, deaf or hearing impaired, or mobility impaired person at the time the physical harm is caused or attempted, but the offender has actual knowledge that the dog is an assistance dog.

(D) No person shall recklessly do any of the following:

(1) Taunt, torment, or strike an assistance dog;

(2) Throw an object or substance at an assistance dog;

(3) Interfere with or obstruct an assistance dog, or interfere with or obstruct a blind, deaf or hearing impaired, or mobility impaired person who is being assisted or served by an assistance dog, in a manner that does any of the following:

(a) Inhibits or restricts the assisted or served person's control of the dog;

(b) Deprives the assisted or served person of control of the dog;

(c) Releases the dog from its area of control;

(d) Enters the area of control of the dog without the consent of the assisted or served person, including placing food or any other object or substance into that area;

(e) Inhibits or restricts the ability of the dog to assist the assisted or served person.

(4) Engage in any conduct that is likely to cause serious physical injury or death to an assistance dog;

(5) If the person is the owner, keeper, or harbinger of a dog, fail to reasonably restrain the dog from taunting, tormenting, chasing, approaching in a menacing fashion or apparent attitude of attack, or attempting to bite or otherwise endanger an assistance dog that at the time of the conduct is assisting or serving a blind, deaf or hearing impaired, or mobility impaired person or that the person knows is an assistance dog.

(E) (1) Whoever violates division (A) of this section is guilty of assaulting a police dog or horse. Except as otherwise provided in this division, assaulting a police dog or horse is a misdemeanor of the second degree. If the violation results in the death of the police dog or horse, assaulting a police dog or horse is a felony of the third degree. If the violation results in serious physical harm to the police dog or horse other than its death, assaulting a police dog or horse is a felony of the fourth degree. If the violation results in physical harm to the police dog or horse other than death or serious physical harm, assaulting a police dog or horse is a misdemeanor of the first degree.

(2) Whoever violates division (B) of this section is guilty of harassing a police dog or horse. Except as otherwise provided in this division, harassing a police dog or horse is a misdemeanor of the second degree. If the violation results in the death of the police dog or horse, harassing a police dog or horse is a felony of the third degree. If the violation results in serious physical harm to the police dog or horse, but does not result in its death, harassing a police dog or horse, is a felony of the fourth degree. If the violation results in physical harm to the police dog or horse, but does not result in its death or in serious physical harm to it, harassing a police dog or horse is a misdemeanor of the first degree.

(3) Whoever violates division (C) of this section is guilty of assaulting an assistance dog. Except as otherwise provided in this division, assaulting an assistance dog is a misdemeanor of the second degree. If the violation results in the death of the assistance dog, assaulting an assistance dog is a felony of the third degree. If the violation results in serious physical harm to the assistance dog other than its death, assaulting an assistance dog is a felony of the fourth degree. If the violation results in physical harm to the assistance dog other than death or serious physical harm, assaulting an assistance dog is a misdemeanor of the first degree.

(4) Whoever violates division (D) of this section is guilty of harassing an assistance dog. Except as otherwise provided in this division, harassing an assistance dog is a misdemeanor of the second degree. If the violation results in

the death of the assistance dog, harassing an assistance dog is a felony of the third degree. If the violation results in serious physical harm to the assistance dog, but does not result in its death, harassing an assistance dog is a felony of the fourth degree. If the violation results in physical harm to the assistance dog, but does not result in its death or in serious physical harm to it, harassing an assistance dog is a misdemeanor of the first degree.

(5) In addition to any other sanction or penalty imposed for the offense under this section, Chapter 2929., or any other provision of the Revised Code, whoever violates division (A), (B), (C), or (D) of this section is responsible for the payment of all of the following:

(a) Any veterinary bill or bill for medication incurred as a result of the violation by the police department regarding a violation of division (A) or (B) of this section or by the blind, deaf or hearing impaired, or mobility impaired person assisted or served by the assistance dog regarding a violation of division (C) or (D) of this section;

(b) The cost of any damaged equipment that results from the violation;

(c) If the violation did not result in the death of the police dog or horse or the assistance dog that was the subject of the violation and if, as a result of that dog or horse being the subject of the violation, the dog or horse needs further training or retraining to be able to continue in the capacity of a police dog or horse or an assistance dog, the cost of any further training or retraining of that dog or horse by a law enforcement officer or by the blind, deaf or hearing impaired, or mobility impaired person assisted or served by the assistance dog;

(d) If the violation resulted in the death of the police dog or horse or the assistance dog that was the subject of the violation or resulted in serious physical harm to that dog or horse to the extent that the dog or horse needs to be replaced on either a temporary or a permanent basis, the cost of replacing that dog or horse and of any further training of a new police dog or horse or a new assistance dog by a law enforcement officer or by the blind, deaf or hearing impaired, or mobility impaired person assisted or served by the assistance dog, which replacement or training is required because of the death of or the serious physical harm to the dog or horse that was the subject of the violation.

(F) This section does not apply to a licensed veterinarian whose conduct is in accordance with Chapter 4741. of the Revised Code.

(G) This section only applies to an offender who knows or should know at the time of the violation that the police dog or horse or assistance dog that is the subject of a violation under this section is a police dog or horse or an assistance dog.

(H) As used in this section:

(1) "Physical harm" means any injury, illness, or other physiological impairment, regardless of its gravity or duration.

(2) "Police dog or horse" means a dog or horse that has been trained, and may be used, to assist law enforcement officers in the performance of their official duties.

(3) "Serious physical harm" means any of the following:

(a) Any physical harm that carries a substantial risk of death;

(b) Any physical harm that causes permanent maiming or that involves some temporary, substantial maiming;

(c) Any physical harm that causes acute pain of a duration that results in substantial suffering.

(4) "Assistance dog," "blind," and "mobility impaired person" have the same meanings as in [section 955.011 \[955.01.1\] of the Revised Code](#).

#### **Oklahoma:**

Oklahoma Statute, 21 Section 649.1

Certain acts against police dog or police horse prohibited--Penalties

A. No person shall willfully torture, torment, beat, mutilate, injure, disable, or otherwise mistreat a police dog or police horse owned, or the service of which is employed, by a law enforcement agency of the state or political subdivision of the state.

B. No person shall willfully interfere with the lawful performance of any police dog or police horse.

C. Except as provided in subsection D of this section, any person convicted of violating any of the provisions of this section shall be guilty of a misdemeanor, punishable by the imposition of a fine not exceeding Five Hundred Dollars (\$ 500.00), or by imprisonment in the county jail not exceeding one (1) year, or by both such fine and imprisonment.

D. Any person who knowingly and willfully and without lawful cause or justification violates the provisions of this section, during the commission of a misdemeanor or felony, shall be guilty of a felony, punishable by the imposition of a fine not exceeding One Thousand Dollars (\$ 1,000.00), or by imprisonment in

the State Penitentiary not exceeding two (2) years, or by both such fine and imprisonment.

Oklahoma Statute, 21 Section 649.2

Killing police dog or police horse--Penalties

A. No person shall willfully kill any police dog or police horse owned, or the service of which is employed, by a law enforcement agency of the state or a political subdivision of the state.

B. Except as provided in subsection C of this section, any person convicted of violating the provisions of this section is guilty of a misdemeanor punishable by the imposition of a fine not exceeding One Thousand Dollars (\$ 1,000.00), or by imprisonment in the county jail not exceeding one (1) year, or by both such fine and imprisonment.

C. Any person who knowingly and willfully and without lawful cause or justification violates the provisions of this section, during the commission of a misdemeanor or felony, shall be guilty of a felony, punishable by the imposition of a fine not exceeding One Thousand Dollars (\$ 1,000.00), or by imprisonment in the State Penitentiary not exceeding two (2) years, or by both such fine and imprisonment.

**Oregon:**

Oregon Revised Statute Section 167.337

Interfering with law enforcement animal.

(1) A person commits the crime of interfering with a law enforcement animal if the person intentionally or knowingly injures or attempts to injure an animal the person knows or reasonably should know is a law enforcement animal while the law enforcement animal is being used in the lawful discharge of its duty.

(2) Interfering with a law enforcement animal is a Class A misdemeanor.

Oregon Revised Statute Section 167.339

Assaulting law enforcement animal.

(1) A person commits the crime of assaulting a law enforcement animal if:

(a) The person knowingly causes serious physical injury to or the death of a law enforcement animal, knowing that the animal is a law enforcement animal; and

(b) The injury or death occurs while the law enforcement animal is being used in the lawful discharge of the animal's duties.

(2) Assaulting a law enforcement animal is a Class C felony.

### **Pennsylvania:**

Pennsylvania Consolidated Statute 18 (Pa.C.S.) Section 5511.2

#### Police animals

(a) **ILLEGAL TO TAUNT POLICE ANIMALS.**-- It shall be unlawful for any person to willfully or maliciously taunt, torment, tease, beat, kick or strike a police animal. Any person who violates any of the provisions of this subsection commits a felony of the third degree.

(b) **ILLEGAL TO TORTURE POLICE ANIMALS.**-- It shall be unlawful for any person to willfully or maliciously torture, mutilate, injure, disable, poison or kill a police animal. Any person who violates any of the provisions of this subsection commits a felony of the third degree.

(c) **RESTITUTION.**-- In any case in which a defendant is convicted of a violation of subsection (a) or (b), the defendant shall be ordered to make restitution to the agency or individual owning the animal for any veterinary bills, for replacement costs of the animal if it is disabled or killed and for the salary of the animal's handler for the period of time the handler's services are lost to the agency.

(d) **DEFINITIONS.**-- As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Accelerant detection dog." A dog which is trained for accelerant detection, commonly referred to as arson canines.

"Bomb detection dog." A dog which is trained to locate a bomb or explosives by scent.

"Narcotic detection dog." A dog which is trained to locate narcotics by scent.

"Police animal." An animal, including, but not limited to, dogs and horses, used by the Pennsylvania State Police, a police department created by a metropolitan transportation authority operating under 74 Pa.C.S. Ch. 17 (relating to metropolitan transportation authorities), a police department created pursuant to the act of April 6, 1956 (1955 P.L. 1414, No. 465), known as the Second Class County Port Authority Act, the Capitol Police, the Department of Corrections, a county facility or office or by a municipal police department, fire department,

search and rescue unit or agency or handler under the supervision of such department, search and rescue unit or agency in the performance of the functions or duties of such department, search and rescue unit or agency, whether the animal is on duty or not on duty. The term shall include, but not be limited to, an accelerant detection dog, bomb detection dog, narcotic detection dog, search and rescue dog and tracking animal.

"Search and rescue dog." A dog which is trained to locate lost or missing persons, victims of natural or manmade disasters and human bodies.

"Tracking animal." An animal which is trained to track or used to pursue a missing person, escaped inmate or fleeing felon.

### **Rhode Island:**

General Laws of Rhode Island (R.I. Gen. Laws) Section 4-1-30

Cruelty to police animals

Any person who willfully tortures, torments, beats, kicks, strikes, mutilates, injures, disables, or otherwise mistreats any dog or horse owned by a police department of this state or any of its political subdivisions or who willfully by any action interferes with the lawful performance of a police dog or horse shall be punished by a fine of not less than one hundred dollars (\$ 100) and not more than five hundred dollars (\$ 500), or by imprisonment for not more than one year, or both.

### **South Carolina:**

South Carolina Code Section 47-3-610

Unlawful to taunt, torment, tease, beat, strike, or administer desensitizing drug to police dog or horse.

It is unlawful for a person to wilfully and maliciously taunt, torment, tease, beat, strike, or administer or subject a desensitizing drug, chemical, or substance to a dog or horse used by a law enforcement department or agency in the performance of the functions or duties of the department or agency or when a dog is placed in a kennel off duty or a horse is placed in a stable off duty, or to interfere or meddle with a dog or horse used by a law enforcement department or agency in the performance of the functions or duties of the department or agency.

South Carolina Code Section 47-3-620

Unlawful to torture, mutilate, injure, disable, poison, or kill police dog or horse.

It is unlawful for a person to wilfully or maliciously torture, mutilate, injure, disable, poison, or kill a dog or horse used by a law enforcement department or agency in the performance of the functions or duties of the department or when a dog is placed in a kennel off duty or a horse is placed in a stable off duty. However, a police officer or veterinarian may perform euthanasia in emergency situations when delay would cause the dog or horse undue suffering and pain.

South Carolina Code Section 47-3-630

Penalties.

A person who violates any of the provisions of this article, except for [Section 47-3-620](#), is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars nor more than one thousand dollars or imprisoned not less than thirty days nor more than six months, or both. A person who violates [Section 47-3-620](#) is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand dollars nor more than five thousand dollars or imprisoned not less than one year nor more than three years, or both.

**Tennessee:**

Tennessee Code Section 39-14-205

Intentional killing of animal.

(a) (1) A person who intentionally or knowingly unlawfully kills the animal of another, with the intent to deprive the owner of the right to the animal's life and without the owner's effective consent commits theft of that animal and shall be punished under [§ 39-14-105](#).

(2) In determining the value of a police dog, fire dog, search and rescue dog, service animal or police horse under [§ 39-14-105](#), the court shall consider the value of the police dog, fire dog, search and rescue dog, service animal or police horse as both the cost of the animal and any specialized training the animal received.

(b) A person is justified in killing the animal of another if the person acted under a reasonable belief that the animal was creating an imminent danger of death or serious bodily injury to that person or another or an imminent danger of death to an animal owned by that person. A person is not justified in killing the animal of another if at the time of the killing the person is trespassing upon the property of the owner of the animal. The justification for killing the animal of another authorized by this subsection (b) shall not apply to a person who, while engaging in or attempting to escape from criminal conduct, kills a police dog that is acting

in its official capacity. In that case the provisions of subsection (a) shall apply to the person.

#### Tennessee Code Section 39-14-202

##### Cruelty to animals.

(a) A person commits an offense who intentionally or knowingly:

(1) Tortures, maims or grossly overworks an animal;

(2) Fails unreasonably to provide necessary food, water, care or shelter for an animal in the person's custody;

(3) Abandons unreasonably an animal in the person's custody;

(4) Transports or confines an animal in a cruel manner; or

(5) Inflicts burns, cuts, lacerations, or other injuries or pain, by any method, including blistering compounds, to the legs or hooves of horses in order to make them sore for any purpose including, but not limited to, competition in horse shows and similar events.

(b) A person commits an offense who knowingly ties, tethers, or restrains a dog in a manner that results in the dog suffering bodily injury as defined in [§ 39-11-106](#).

(c) It is a defense to prosecution under this section that the person was engaged in accepted veterinary practices, medical treatment by the owner or with the owner's consent, or bona fide experimentation for scientific research.

(d) Whenever any person is taken into custody by any officer for violation of subdivision (a)(4), the officer may take charge of the vehicle or conveyance, and its contents, used by the person to transport the animal. The officer shall deposit these items in a safe place for custody. Any necessary expense incurred for taking charge of and sustaining the same shall be a lien thereon, to be paid before the same can lawfully be recovered; or the expenses, or any part thereof, remaining unpaid may be recovered by the person incurring the same of the owners of the animal in an action therefor.

(e) In addition to the penalty imposed in subsection (g), the court making the sentencing determination for a person convicted under this section shall order the person convicted to surrender custody and forfeit the animal or animals whose treatment was the basis of the conviction. Custody shall be given to a humane society incorporated under the laws of this state. The court may prohibit the person convicted from having custody of other animals for any period of time

the court determines to be reasonable, or impose any other reasonable restrictions on the person's custody of animals as necessary for the protection of the animals.

(f) (1) Nothing in this section shall be construed as prohibiting the owner of a farm animal or someone acting with the consent of the owner of that animal from engaging in usual and customary practices which are accepted by colleges of agriculture or veterinary medicine with respect to that animal.

(2) It is an offense for a person other than a law enforcement officer acting with probable cause to knowingly interfere with the performance of any agricultural practices permitted by subdivision (f)(1).

(3) An offense under subdivision (f)(2) is a Class B misdemeanor.

(g) (1) Cruelty to animals is a Class A misdemeanor.

(2) A second or subsequent conviction for cruelty to animals is a Class E felony.

### **Texas:**

Texas Penal Code Section 38.15

#### Interference with Public Duties

(a) A person commits an offense if the person with criminal negligence interrupts, disrupts, impedes, or otherwise interferes with:

(1) a peace officer while the peace officer is performing a duty or exercising authority imposed or granted by law;

(2) a person who is employed to provide emergency medical services including the transportation of ill or injured persons while the person is performing that duty;

(3) a fire fighter, while the fire fighter is fighting a fire or investigating the cause of a fire;

(4) an animal under the supervision of a peace officer, corrections officer, or jailer, if the person knows the animal is being used for law enforcement, corrections, prison or jail security, or investigative purposes;

(5) the transmission of a communication over a citizen's band radio channel, the purpose of which communication is to inform or inquire about an emergency;

(6) an officer with responsibility for animal control in a county or municipality, while the officer is performing a duty or exercising authority imposed or granted under Chapter 821 or 822, Health and Safety Code; or

(7) a person who:

(A) has responsibility for assessing, enacting, or enforcing public health, environmental, radiation, or safety measures for the state or a county or municipality;

(B) is investigating a particular site as part of the person's responsibilities under Paragraph (A);

(C) is acting in accordance with policies and procedures related to the safety and security of the site described by Paragraph (B); and

(D) is performing a duty or exercising authority imposed or granted under the Agriculture Code, Health and Safety Code, Occupations Code, or Water Code.

(b) An offense under this section is a Class B misdemeanor.

(c) It is a defense to prosecution under Subsection (a)(1) that the conduct engaged in by the defendant was intended to warn a person operating a motor vehicle of the presence of a peace officer who was enforcing Subtitle C, Title 7, Transportation Code.

(d) It is a defense to prosecution under this section that the interruption, disruption, impediment, or interference alleged consisted of speech only.

(e) In this section, "emergency" means a condition or circumstance in which an individual is or is reasonably believed by the person transmitting the communication to be in imminent danger of serious bodily injury or in which property is or is reasonably believed by the person transmitting the communication to be in imminent danger of damage or destruction.

Texas Penal Code Section 38.151

Interference with Police Service Animals

(a) In this section:

(1) "Area of control" includes a vehicle, trailer, kennel, pen, or yard.

(2) "Handler or rider" means a peace officer, corrections officer, or jailer who is specially trained to use a police service animal for law enforcement, corrections, prison or jail security, or investigative purposes.

(3) "Police service animal" means a dog, horse, or other domesticated animal that is specially trained for use by a handler or rider.

(b) A person commits an offense if the person recklessly:

(1) taunts, torments, or strikes a police service animal;

(2) throws an object or substance at a police service animal;

(3) interferes with or obstructs a police service animal or interferes with or obstructs the handler or rider of a police service animal in a manner that:

(A) inhibits or restricts the handler's or rider's control of the animal; or

(B) deprives the handler or rider of control of the animal;

(4) releases a police service animal from its area of control;

(5) enters the area of control of a police service animal without the effective consent of the handler or rider, including placing food or any other object or substance into that area;

(6) injures or kills a police service animal; or

(7) engages in conduct likely to injure or kill a police service animal, including administering or setting a poison, trap, or any other object or substance.

(c) An offense under this section is:

(1) a Class C misdemeanor if the person commits an offense under Subsection (b)(1);

(2) a Class B misdemeanor if the person commits an offense under Subsection (b)(2);

(3) a Class A misdemeanor if the person commits an offense under Subsection (b)(3), (4), or (5);

(4) except as provided by Subdivision (5), a state jail felony if the person commits an offense under Subsection (b)(6) or (7) by injuring a police service animal or by engaging in conduct likely to injure the animal; or

(5) a felony of the second degree if the person commits an offense under Subsection (b)(6) or (7) by:

(A) killing a police service animal or engaging in conduct likely to kill the animal;

(B) injuring a police service animal in a manner that materially and permanently affects the ability of the animal to perform as a police service animal; or

(C) engaging in conduct likely to injure a police service animal in a manner that would materially and permanently affect the ability of the animal to perform as a police service animal.

**Utah:**

Utah Code Section 76-9-306

Police service animals -- Causing injury or interfering with handler -- Penalties

(1) As used in this section:

(a) "Handler" means a law enforcement officer who is specially trained, and uses a police service animal during the course of the performance of his law enforcement duties.

(b) "Police service animal" means any dog or horse used by a law enforcement agency, which is specially trained for law enforcement work, or any animal contracted to assist a law enforcement agency in the performance of law enforcement duties.

(2) It is a third degree felony for a person to intentionally:

(a) cause bodily injury or death to a police service animal;

(b) engage in conduct likely to cause bodily injury or death to a police service animal;

(c) lay out, place, or administer any poison, trap, substance, or object which is likely to produce bodily injury or death to a police service animal; or

(d) offer or agree with one or more persons to engage in or cause the performance of an act which constitutes a violation of this section.

(3) It is a class A misdemeanor for a person to intentionally or knowingly:

(a) taunt, torment, strike, or otherwise assault a police service animal;

(b) throw any object or substance at, or in the path of, a police service animal;

(c) interfere with or obstruct a police service animal, or attempt to, or interfere with the handler of the animal in a manner that inhibits, restricts, or deprives the handler of his control of the animal;

(d) release a police service animal from its area of control, such as a vehicle, kennel, or pen, or trespass in that area; or

(e) place any food, object, or substance into a police service animal's area of control without the permission of the handler.

(4) A police service animal is exempt from quarantine or other animal control ordinances if it bites any person while under proper police supervision or routine veterinary care. The law enforcement agency and the animal's handler shall make the animal available for examination at any reasonable time and shall notify the local health officer if the animal exhibits any abnormal behavior.

(5) In addition to any other penalty, a person convicted of a violation of this section is liable for restitution to the owning or employing law enforcement agency or individual owner of the police service animal for the replacement, training, and veterinary costs incurred as a result of the violation of this section.

### **Vermont:**

Vermont Statute 13 (V.S.A.) Section 351

#### Definitions

As used in this chapter:

(1) "Animal" means all living sentient creatures, not human beings.

(2) "Secretary" means the secretary of agriculture, food and markets.

(3) "Horse" means the entire family of equidae.

(4) "Humane officer" or "officer" means any law enforcement officer as defined in [23 V.S.A. § 4\(11\)](#), auxiliary state police officers, deputy game wardens, humane society officer, employee or agent, local board of health officer or agent, or any officer authorized to serve criminal process.

(5) "Humane society" or "society for prevention of cruelty to animals" means the Vermont Humane Federation, Inc., or its successor, or any incorporated humane society which, through its agents has the lawful authority to interfere with acts of cruelty to animals.

(6) "Local board of health" means the town or city health officer and the boards of selectmen or aldermen.

(7) "Necessary medical attention" shall include but not be limited to medical treatment for illness, injury, disease, excessive parasitism, or malformed or overgrown hoof.

(8) "Person" means any individual, firm, partnership or corporation, or authorized agent or representative of a person, partnership or corporation.

(9) "Sanitation" means the maintenance of clean conditions for indoor and outdoor enclosures to minimize health hazards, including periodic cleanings to remove excretions or other waste materials, dirt and trash.

(10) "Torture" or "torment" means omission, neglect, or an act by an animal owner or other person, whereby physical pain, suffering or death is caused or permitted to be caused to an animal.

(11) "Livestock" means cattle, bison, horses, sheep, goats, swine, cervidae, ratites and camelids.

(12) "Poultry" means meat and egg producing chickens, exhibition (fancy) chickens, turkeys, domestic ducks, geese, pheasants, chicken partridge and cotarnix quail.

(13) "Livestock and poultry husbandry practices" means the raising, management and using of animals to provide humans with food, fiber or transportation in a manner consistent with:

(A) husbandry practices recommended for the species by agricultural colleges and the U.S. Department of Agriculture Extension Service;

(B) husbandry practices modified for the species to conform to the Vermont environment and terrain; and

(C) husbandry practices that minimize pain and suffering.

(14) "Agricultural or sporting association" means an organization or association determined by the secretary.

(15) "Living space" means any cage, crate, or other structure used to confine an animal that serves as its principal, primary housing. Living space does not include a structure, such as a doghouse, in which an animal is not confined, or a cage, crate, or other structure in which the animal is temporarily confined.

(16) "Adequate food" means food that is not spoiled or contaminated and is of

sufficient quantity and quality to meet the normal daily requirements for the condition and size of the animal and the environment in which it is kept. An animal shall be fed or have food available at least once each day, unless a licensed veterinarian instructs otherwise, or withholding food is in accordance with accepted agricultural or veterinarian practices.

(17) "Adequate water" means fresh, potable water provided at suitable intervals for the species, and which, in no event, shall exceed 24 hours at any interval. The animal must have access to the water.

(18) "Adequate shelter" means shelter which protects the animal from injury and environmental hazards.

Vermont Statute 13 (V.S.A.) Section 352

### Cruelty to animals

A person commits the crime of cruelty to animals if the person:

(1) intentionally kills or attempts to kill any animal belonging to another person without first obtaining legal authority or consent of the owner;

(2) overworks, overloads, tortures, torments, abandons, administers poison to, cruelly beats or mutilates an animal, or exposes a poison with intent that it be taken by an animal;

(3) ties, tethers, or restrains an animal, either a pet or livestock, in a manner that is inhumane or is detrimental to its welfare. Livestock and poultry husbandry practices are exempted;

(4) deprives an animal which a person owns, possesses or acts as an agent for, of adequate food, water, shelter, rest, sanitation, or necessary medical attention, or transports an animal in overcrowded vehicles;

(5) owns, possesses, keeps or trains an animal engaged in an exhibition of fighting, or possesses, keeps or trains any animal with intent that it be engaged in an exhibition of fighting, or permits any such act to be done on premises under his or her charge or control;

(6) acts as judge or spectator at events of animal fighting or bets or wagers on the outcome of such fight;

(7) as poundkeeper, officer, agent of a humane society or as an owner or employee of an establishment for treatment, board or care of an animal, knowingly receives, sells, transfers or otherwise conveys an animal in his or her care for the purpose of research or vivisection;

(8) intentionally torments or harasses an animal owned or engaged by a police department or public agency of the state or its political subdivisions, or interferes with the lawful performance of a police animal;

(9) knowingly sells, offers for sale, barter or displays living baby chicks, ducklings or other fowl which have been dyed, colored or otherwise treated so as to impart to them an artificial color, or fails to provide poultry with proper brooder facilities;

(10) uses a live animal as bait or lure in a race, game or contest, or in training animals in a manner inconsistent with Part 4 of Title 10 or the rules adopted thereunder.

#### Vermont Statute 13 (V.S.A.) Section 352a

##### Aggravated cruelty to animals

A person commits the crime of aggravated cruelty to animals if the person:

(1) kills an animal by intentionally causing the animal undue pain or suffering;  
or

(2) intentionally, maliciously, and without just cause tortures, mutilates, or cruelly beats an animal.

#### Vermont Statute 13 (V.S.A.) Section 353

##### Degree of offense; sentencing upon conviction

(a) Penalties.

(1) Except as provided in subdivision (3) or (4) of this subsection, cruelty to animals under section 352 of this title shall be punishable by a sentence of imprisonment of not more than one year, or a fine of not more than \$ 2,000.00, or both. Second and subsequent convictions shall be punishable by a sentence of imprisonment of not more than two years or a fine of not more than \$ 5,000.00, or both.

(2) Aggravated cruelty under section 352a of this title shall be punishable by a sentence of imprisonment of not more than three years or a fine of not more than \$ 5,000.00, or both. Second and subsequent offenses shall be punishable by a sentence of imprisonment of not more than five years or a fine of not more than \$ 7,500.00, or both.

(3) An offense committed under subdivisions 352(5) or (6) of this title shall be

punishable by a sentence of imprisonment of not more than 5 years, or a fine of not more than \$ 5,000.00, or both.

(4) (A) Except as provided in subdivision (B) of this subdivision (4), a person found in violation of subdivision 352(3), (4), or (9) of this title pursuant to this subdivision shall be imprisoned not more than one year or fined not more than \$ 2,000.00, or both. Second and subsequent convictions shall be punishable by a sentence of imprisonment of not more than two years or a fine of not more than \$ 5,000.00, or both.

(B) A law enforcement officer shall issue a civil citation to a person who violates subdivision 352(3), (4), or (9) of this title if the person has not been previously adjudicated in violation of this chapter. A person adjudicated in violation of subdivision 352(3), (4), or (9) of this title pursuant to this subdivision shall be assessed a civil penalty of not more than \$ 500.00. At any time prior to the person admitting the violation and paying the assessed penalty, the state's attorney may withdraw the complaint filed with the judicial bureau and file an information charging a violation of subdivision 352(3), (4), or (9) of this title in district court.

(b) In addition to any other sentence the court may impose, the court may require a defendant convicted of a violation under section 352 or 352a of this title to:

(1) Forfeit any rights to the animal subjected to cruelty, and to any other animal, except livestock or poultry owned, possessed, or in the custody of the defendant.

(2) Repay the reasonable costs incurred by any person, municipality or agency for providing care for the animal prior to judgment. If the court does not order a defendant to pay all the applicable costs incurred or orders only partial payment, it shall state on the record the reasons for that action.

(3) Forfeit any future right to own, possess, or care for any animal for a period which the court deems appropriate.

(4) Participate in available animal cruelty prevention programs or educational programs, or both, or obtain psychiatric or psychological counseling, within a reasonable distance from the defendant's residence. If a juvenile is adjudicated delinquent under section 352 or 352a of this title, the court may order the juvenile to undergo a psychiatric or psychological evaluation and to participate in treatment that the court determines to be appropriate after due consideration of the evaluation. The court may impose the costs of such programs or counseling upon the defendant when appropriate.

(5) Permit periodic unannounced visits for a period up to one year by a humane officer to inspect the care and condition of any animal permitted by the court to remain in the care, custody, or possession of the defendant. Such period may be

extended by the court upon motion made by the state.

(c) Upon an order of forfeiture of an animal under this section or section 354 of this title, the court shall order custody of the animal remanded to a humane society or other individual deemed appropriate by the court, for further disposition in accordance with accepted practices for humane treatment of animals. A transfer of rights under this section constitutes a transfer of ownership, and shall not constitute or authorize any limitation upon the right of the humane society, individual, or other entity, to whom rights are granted to dispose of the animal.

**Virginia:**

Virginia Code Section 18.2-144.1

Prohibition against killing or injuring police animals; penalty

It shall be unlawful for any person to maliciously shoot, stab, wound or otherwise cause bodily injury to, or administer poison to or expose poison with intent that it be taken by a dog, horse or other animal owned, used or trained by a law-enforcement agency, regional jail or the Department of Corrections while such animal is performing his lawful duties or is being kept in a kennel, pen or stable while off duty. A violation of this section shall be punishable as a Class 5 felony. The court shall order that the defendant pay restitution for the cost of any animal killed or rendered unable to perform its duties. Such cost shall include training expenses.

**Washington:**

Code of Washington (ARCW) Section 9A.76.200

Harming a police dog, accelerant detection dog, or police horse

(1) A person is guilty of harming a police dog, accelerant detection dog, or police horse, if he or she maliciously injures, disables, shoots, or kills by any means any dog or horse that the person knows or has reason to know to be a police dog or accelerant detection dog, as defined in [RCW 4.24.410](#), or police horse, as defined in subsection (2) of this section, whether or not the dog or horse is actually engaged in police or accelerant detection work at the time of the injury.

(2) "Police horse" means any horse used or kept for use by a law enforcement officer in discharging any legal duty or power of his or her office.

(3) Harming a police dog, accelerant detection dog, or police horse is a class C felony.

Code of Washington (ARCW) Section 4.24.410

Dog handler using dog in line of duty -- Immunity

(1) As used in this section:

(a) "Police dog" means a dog used by a law enforcement agency specially trained for law enforcement work and under the control of a dog handler.

(b) "Accelerant detection dog" means a dog used exclusively for accelerant detection by the state fire marshal or a fire department and under the control of the state fire marshal or his or her designee or a fire department handler.

(c) "Dog handler" means a law enforcement officer who has successfully completed training as prescribed by the Washington state criminal justice training commission in police dog handling, or in the case of an accelerant detection dog, the state fire marshal's designee or an employee of the fire department authorized by the fire chief to be the dog's handler.

(2) Any dog handler who uses a police dog in the line of duty in good faith is immune from civil action for damages arising out of such use of the police dog or accelerant detection dog.

**West Virginia:**

West Virginia Code Section 19-20-24

Causing death or injury to animals used by law-enforcement officials or by fire prevention or investigation officials; criminal penalties.

Any person who, without justification, and with the unlawful intent to inflict serious physical injury or death, causes the death of any trained dog or horse used by law-enforcement officials, the Department of Military Affairs and Public Safety or by fire prevention or investigation officials in the performance of their official duties is guilty of a felony and, upon conviction thereof, shall be fined not less than five hundred dollars nor more than one thousand dollars and imprisoned in the penitentiary for a definite term of not more than three years.

Any person who, without justification, willfully and unlawfully causes physical injury to any trained dog or horse used by law-enforcement officials, the Department of Military Affairs and Public Safety or by fire prevention or investigation officials in the performance of their official duties is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than five hundred dollars, or confined in the county jail not more than six months, or both.

Any person convicted of a violation of this section shall be ordered to make

restitution to the law-enforcement agency, the Department of Military Affairs and Public Safety or to the state fire marshal or other fire prevention or investigation department or agency owning the animal for any veterinary bills and replacement costs of any disabled or killed animal.

#### West Virginia Code Section 61-3E-6

Causing death or injury to an explosives detection animal; penalty.

Any person who violates the provisions of this article which violation causes death, serious or debilitating bodily injury to an explosives detection animal owned or used by a law-enforcement agency, shall be guilty of a felony and, upon conviction thereof, be committed to the custody of the Division of Corrections for not less than one year nor more than five years or fined not more than five thousand dollars, or both.

#### **Wisconsin:**

#### Wisconsin Statute Section 951.095

Harassment of police and fire animals.

(1) No person may do any of the following to any animal that is used by a law enforcement agency or fire department to perform agency or department functions or duties:

(a) Frighten, intimidate, threaten, abuse or harass the animal.

(b) Strike, shove, kick or otherwise subject the animal to physical contact.

(c) Strike the animal by using a dangerous weapon.

(2) Subsection (1) does not apply to any of the following:

(a) Any act that is performed by or with the authorization of the animals handler or rider.

(b) Any act that is necessary for the training of an animal to perform functions or duties for a law enforcement agency.

#### Wisconsin Statute Section 951.18

Penalties.

(1) Any person violating [s. 951.02](#), [951.025](#), [951.03](#), [951.04](#), [951.05](#), [951.06](#), [951.07](#), [951.09](#), [951.10](#), [951.11](#), [951.13](#), [951.14](#) or [951.15](#) is subject to a Class C forfeiture. Any person who violates any of these provisions within 3 years after a

humane officer issues an abatement order under [s. 173.11](#) prohibiting the violation of that provision is subject to a Class A forfeiture. Any person who intentionally or negligently violates any of those sections is guilty of a Class A misdemeanor. Any person who intentionally violates [s. 951.02](#), resulting in the mutilation, disfigurement or death of an animal, is guilty of a Class I felony. Any person who intentionally violates [s. 951.02](#) or [951.06](#), knowing that the animal that is the victim is used by a law enforcement agency to perform agency functions or duties and causing injury to the animal, is guilty of a Class I felony.

(2) Any person who violates [s. 951.08 \(2m\)](#) or (3) is guilty of a Class A misdemeanor. Any person who violates [s. 951.08 \(1\)](#) or (2) is guilty of a Class I felony for the first violation and is guilty of a Class H felony for the 2nd or subsequent violation.

(2m) Any person who violates [s. 951.095](#) is subject to a Class B forfeiture. Any person who intentionally or negligently violates [s. 951.095](#), knowing that the animal that is the victim is used by a law enforcement agency or fire department to perform agency or department functions or duties, is guilty of a Class A misdemeanor. Any person who intentionally violates [s. 951.095](#), knowing that the animal that is the victim is used by a law enforcement agency or fire department to perform agency or department functions or duties and causing injury to the animal, is guilty of a Class I felony. Any person who intentionally violates [s. 951.095](#), knowing that the animal that is the victim is used by a law enforcement agency or fire department to perform agency or department functions or duties and causing death to the animal, is guilty of a Class H felony.

(2s) Any person who violates [s. 951.097 \(1\) \(b\)](#) 1. or (2) (a), knowing that the dog that is the victim is a service dog, is guilty of a Class B misdemeanor. Any person who violates [s. 951.097 \(1\) \(b\)](#) 2., (2) (b), or (3) (a), knowing that the dog that is the victim is a service dog, is guilty of a Class A misdemeanor. Any person who violates [s. 951.097 \(3\) \(b\)](#) or (4) (a), knowing that the dog that is the victim is a service dog, is guilty of a Class I felony. Any person who violates [s. 951.097 \(4\) \(b\)](#) or (5), knowing that the dog that is the victim is a service dog, is guilty of a Class H felony.

(3) In addition to penalties applicable to this chapter under this section, a district attorney may apply to any court of competent jurisdiction for a temporary or permanent injunction restraining any person from violating this chapter.

(4) In addition to penalties applicable to this chapter under this section:

(a)

1. In this paragraph, "pecuniary loss" means any of the following:

a. All special damages, but not general damages, including the money equivalent

of loss resulting from property taken, destroyed, broken, or otherwise harmed and out-of-pocket losses, such as medical expenses.

b. Reasonable out-of-pocket expenses incurred by the victim resulting from the filing of charges or cooperating in the investigation and prosecution of an offense under this chapter.

c. Expenses in keeping any animal that is involved in the crime.

d. In a case under [s. 951.095](#) or [951.097](#), the value of a replacement animal, if the affected animal is incapacitated or dead; the cost of training a replacement animal; or the cost of retraining the affected animal. The court shall base any determination of the value of a replacement service dog on the value of the service dog to the user and not on its cost or fair market value.

e. In a case under [s. 951.095](#) or [951.097](#), all related veterinary and care expenses.

f. In a case under [s. 951.095](#) or [951.097](#), the medical expenses of the animals user, the cost of training the animals user, and compensation for income lost by the animals user.

2. A sentencing court shall require a criminal violator to pay restitution to a person, including any local humane officer or society or county or municipal pound or a law enforcement officer or conservation warden, for any pecuniary loss suffered by the person as a result of the crime. This requirement applies regardless of whether the criminal violator is placed on probation under [s. 973.09](#). If restitution is ordered, the court shall consider the financial resources and future ability of the criminal violator to pay and shall determine the method of payment. Upon the application of any interested party, the court shall schedule and hold an evidentiary hearing to determine the value of any pecuniary loss under this paragraph.

(b)

1. A sentencing court may order that an animal be delivered to the local humane officer or society or the county or municipal pound or to a law enforcement officer if a person commits a crime under this chapter, the person is the owner of the animal that is involved in the crime and the court considers the order to be reasonable and appropriate. A sentencing court may order that an animal be delivered to the department of natural resources, if the animal is a wild animal that is subject to regulation under ch. 169 and the court considers the order to be reasonable and appropriate. The society, pound, officer or department of natural resources shall release the animal to a person other than the owner or dispose of the animal in a proper and humane manner. If the animal is a dog, the release or disposal shall be in accordance with [s. 173.23 \(1m\)](#), except that the fees under [s.](#)

[173.23 \(1m\) \(a\)](#) 4. do not apply if the expenses are covered under [s. 173.24](#) If the animal is not a dog, the society, pound or officer may charge a fee for the release of the animal.

2. If the court is sentencing a person covered under [s. 173.12 \(3\) \(a\)](#) and an animal has been seized under [s. 173.12](#), the court shall act in accordance with [s. 173.12 \(3\)](#)

(c) Except as provided in [s. 951.08 \(2m\)](#), a sentencing court may order that the criminal violator may not own, possess or train any animal or type or species of animal for a period specified by the court, but not to exceed 5 years. In computing the time period, time which the person spent in actual confinement serving a sentence shall be excluded.

### **Wyoming:**

Wyoming Statute Section 6-5-211

Injuring or killing a police dog, fire dog, search and rescue dog or police horse prohibited; penalties.

(a) Any person who knowingly, willfully and without lawful cause or justification permanently disables or inflicts death upon any animal defined in subsection (b) of this section shall be liable for restitution by order of a court and shall be guilty of a felony punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both.

(b) As used in this section:

(i) "Police dog" means any dog that is owned, or the service of which is employed, by a law enforcement or corrections agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws or apprehension of offenders;

(ii) "Police horse" means any horse that is owned, or the service of which is employed, by a law enforcement or corrections agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws or apprehension of offenders;

(iii) "Fire dog" means any dog that is owned, or the service of which is employed, by a fire department, a special fire district or the state fire marshal for the principal purpose of aiding in the detection of flammable materials or the investigation of fires;

(iv) "Search and rescue dog" means any search and rescue dog that is owned, or the service of which is utilized, by a fire department, a law enforcement or

corrections agency, a special fire district or the state fire marshal for the principal purpose of aiding in the detection of missing persons, including persons who are lost, who are trapped under debris as a result of a natural, manmade or technological disaster or who are drowning victims.

### **Federal:**

In addition, there is also the Federal Law Enforcement Animal Protection Act: 18 USC (UNITED STATES CODE) Section 1368

Harming animals used in law enforcement

(a) Whoever willfully and maliciously harms any police animal, or attempts or conspires to do so, shall be fined under this title and imprisoned not more than 1 year. If the offense permanently disables or disfigures the animal, or causes serious bodily injury to or the death of the animal, the maximum term of imprisonment shall be 10 years.

(b) In this section, the term "police animal" means a dog or horse employed by a Federal agency (whether in the executive, legislative, or judicial branch) for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of criminal offenders.

### **States with no laws specifically written to protect police dogs:**

These states have only animal cruelty laws:

#### **District of Columbia:**

District of Columbia Code Section 22-1001

Definitions and penalties

(a) Whoever knowingly overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly chains, cruelly beats or mutilates, any animal, or knowingly causes or procures any animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly chained, cruelly beaten, or mutilated, and whoever, having the charge or custody of any animal, either as owner or otherwise, knowingly inflicts unnecessary cruelty upon the same, or unnecessarily fails to provide the same with proper food, drink, air, light, space, veterinary care, shelter, or protection from the weather, shall for every such offense be punished by imprisonment in jail not exceeding 180 days, or by fine not exceeding \$ 250, or by both.

(b) For the purposes of this section, "cruelly chains" means attaching an animal to a stationary object or a pulley by means of a chain, rope, tether, leash, cable,

or similar restraint under circumstances that may endanger its health, safety, or well-being. Cruelly chains includes, but is not limited to, the use of a chain, rope, tether, leash, cable or similar restraint that:

- (1) Exceeds 1/8 the body weight of the animal;
- (2) Causes the animal to choke;
- (3) Is too short for the animal to move around or for the animal to urinate or defecate in a separate area from the area where it must eat, drink, or lie down;
- (4) Is situated where it can become entangled;
- (5) Does not permit the animal access to food, water, shade, dry ground, or shelter; or
- (6) Does not permit the animal to escape harm.

(c) For the purposes of this section, "serious bodily injury" means bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, mutilation, or protracted loss or impairment of the function of a bodily member or organ. Serious bodily injury includes, but is not limited to, broken bones, burns, internal injuries, severe malnutrition, severe lacerations or abrasions, and injuries resulting from untreated medical conditions.

(d) Except where the animal is an undomesticated and dangerous animal such as rats, bats, and snakes, and there is a reasonable apprehension of an imminent attack by such animal on that person or another, whoever commits any of the acts or omissions set forth in subsection (a) of this section with the intent to commit serious bodily injury or death to an animal, or whoever, under circumstances manifesting extreme indifference to animal life, commits any of the acts or omissions set forth in subsection (a) of this section which results in serious bodily injury or death to the animal, shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment not exceeding 5 years, or by a fine not exceeding \$ 25,000, or both.

### **South Dakota:**

South Dakota Statute Section 40-1-20

Poisoning animal of another -- Penalty -- Exceptions

Except as specifically provided for in this chapter, no person may intentionally administer poison to any animal which belongs to another, nor intentionally expose any poisonous substance so that it may be taken by an animal which belongs to another. A violation of this section is a Class 1 misdemeanor. This

section may not be construed to prevent euthanasia by a licensed veterinarian with proper authority from the animal's owner nor may it prevent acts of euthanasia authorized by this chapter. This section may not be construed to prevent animal control activities conducted by municipalities or counties, separately or through contract with a humane society, in accordance with chapters 36-12 and 34-20B.

South Dakota Statute Section 40-1-21

Killing or injuring animal of another -- Penalty -- Exceptions

No person may intentionally kill any animal of any age or value, the property of another, nor intentionally injure any such animal. A violation of this section is a Class 1 misdemeanor. This section may not be construed to prevent euthanasia by a licensed veterinarian with proper authority from the animal's owner nor may it prevent acts of euthanasia authorized by this chapter. This section may not be construed to prohibit euthanasia conducted by the municipality or under a municipality's animal control activities. This section may not be construed to prohibit activities conducted under chapter 40-34.