



CONNECTICUT
FOR
ANIMALS
Education Fund 501(c)(3)

ANIMAL CRUELTY

THE PROBLEM

Animal cruelty exists in many forms and the laws to protect animals often fall short.

Animal cruelty includes many kinds of maltreatment, from temporarily failing to provide essential care to the malicious killing or repeated torturing of an animal. Some types of animal cruelty may be unintentional and can be rectified by simply directing the owner to information and resources. More severe cruelty, however, may be a warning sign and indicative of the potential for future violence by the perpetrator.

The consideration of an act as a felony or a misdemeanor also varies, though the *mens rea*, or intent, of the perpetrator, along with the degree of suffering, are often the deciding factors. States can have differing definitions of animal cruelty, whether in terms of the specific acts that are prohibited, or the categories of animals protected. Most state level animal cruelty laws protect only companion animals.

There are two categories of animal cruelty, crimes of omission and crimes of commission.

Crimes of omission

The first category are crimes of omission, in which we consider a lack of action, or neglect, as being the source of the cruelty. Neglect can encompass a wide range of omissions including lack of food, water, grooming, shelter and veterinary care.

While neglect can occur due to ignorance, it can be very deliberate despite the categorization indicating a more passive type of abuse. For example, a dog can starve due to ignorance regarding the type and quantity of food it needs, or a person could deliberately withhold food from the dog, the result being the same.

The types of cases in which **large scale neglect is seen are animal hoarding and puppy mills**, though large-scale neglect can occur, though more infrequently, with livestock.

A category within neglect that is sadly occurring more frequently is that of **abandonment**. With domestication comes dependency and our animals now rely on us for their food, water and shelter. The idea that companion animals can fend for themselves is simply not reality.



Even cats, who are considered self-reliant, will come to expect meals to be provided to them and are ill-equipped to survive and escape predators when abandoned. Far worse are those instances when animals are left inside vacant properties after their owners have moved. While leaving animals outside shelters may seem more acceptable, the reality is that harm can come to them before they are found.

In dealing with crimes of omission, we must recognize that starvation and other conditions resulting from neglect can cause as much pain and suffering as deliberate acts of cruelty.

Crimes of commission

The second category of animal cruelty is generalized as crimes of commission where deliberate acts take place. An example of this

category might be beating or shooting a dog. As stated previously, despite crimes of commission immediately seeming to be of greater severity, the pain and suffering that accompanies some crimes of omission should not lead to them being regarded as lesser in nature.

Crimes of commission are roughly sub-categorized into non-accidental injuries, animal fighting, and animal sexual assault (bestiality), but hoarding and puppy mills can be placed in this category due to their intentional nature.

Non-accidental injuries are further broken down into blunt force trauma, sharp force trauma, projectiles (e.g., gunshot injuries, arrows, pellets), burns and environmental/situational (e.g. asphyxiation such as hanging and strangulation, drowning, suffocation, hot cars, hypothermia in winter weather).

Animal fighting is a particularly barbaric activity in which animals, generally dogs and cocks, are made to fight, usually until one dies, though both animals may ultimately succumb to their injuries. Many additional crimes, such as drugs and illegal gambling, tend to co-occur with animal fighting.

Animal sexual assault is a secretive form of animal cruelty that often takes place in the home of the perpetrator, but the internet has facilitated formation of groups of like-minded individuals and the sharing of images and videos. All species are in jeopardy, but dogs are generally the most common victim. Animal sexual assault is commonly linked to child abuse.

MOTIVATIONS

Cruelty can be the result of ignorance regarding humane and appropriate care of an animal, callousness regarding the sentience of animals, a form of amusement, prejudice towards a particular species, or unmanaged anger that is taken out on an animal.

There is a strong link between animal cruelty and interpersonal violence or criminal behavior, and other motivations are tied to the power and control over other individuals or animals. These include retaliation towards a person or animal, gaining power and control over an animal or person, intimidation or influence over another person, and pleasure from the pain and suffering incurred from the cruelty.

Finally, a strong motivation behind animal fighting is financial gain, as the world of professional animal fighting can be worth millions of dollars from both the fight purses and illegal gambling.

WHERE IT'S HAPPENING

With such a wide range of motivations it is safe to say that animal cruelty, in some form, can take place almost anywhere. Many forms of cruelty can

be hard to spot when they take place within the home or in a secluded location. When vulnerable stray or abandoned animals are the victims, the acts may go unnoticed as the animal would not be noticed or missed in the same way as a pet might be.

EXEMPTIONS

Exemptions to animal cruelty laws exist and are typically based on human use of the animals. This would include hunting, research, legal sports such as horse racing, and agriculture.

The Federal Animal Welfare act does cover some human uses of animals and provides some regulatory oversight. A further exemption is that of religious practice, and the United State Supreme Court ruled in 1993 that religious groups are exempt from animal cruelty laws and the Humane Methods of Slaughter Act (HMSA) when it comes to



animal sacrifice. Halal slaughter, in which stunning does not take place, is covered under the HMSA.

ANIMAL CRUELTY IN CONNECTICUT

The Animal Legal Defense Fund publishes an annual ranking of state animal protection laws. In 2023, Connecticut was the most improved in its legal protection for animals, rising to rank 11th in 2023, up from its rank of 30th in 2022, placing Connecticut in the top tier of states for animal protection.

The legislation that contributed to this rapid increase includes a requirement for veterinarians in Connecticut to report suspected animal cruelty and granting them immunity for reports made in good faith, closing a legal loophole in the state's law prohibiting the sexual assault of animals and, lastly, preventing anyone convicted of animal cruelty from possessing, adopting, owning, or residing with an animal for five years following their conviction.

Connecticut was the first state to develop a courtroom advocate program, known in Connecticut as Desmond's Law. This law permits the court to appoint an advocate for the interests of justice in cases concerning cruelty to dogs or cats.

Connecticut has animal cruelty laws in the following general categories: general animal cruelty, animal fighting, sexual assault, cruelty to working animals, and cruel hunting, trapping and fishing.

In addition, there is mandatory cross-reporting between animal control officers and the Department of Child and Families to assist in child abuse cases.

Civilians have civil and criminal immunity for entering a vehicle to rescue an animal in imminent danger under certain conditions, such as hot cars.

Finally, animals may be included in domestic violence protective orders.

Connecticut does not have any specific animal protection laws pertaining to farm animals.

THE SOLUTION

The solutions to animal cruelty are multifaceted and may be challenging to implement, though not impossible.

Firstly, we can all **model good behavior** towards animals and do our part to change public perceptions that "it's just an animal." If we hope to bring a new companion animal into our homes we can choose to adopt, including senior animals and long-term shelter residents.

Animal cruelty cases must be **thoroughly investigated and prosecuted**. Further, offenders must receive punishments that are commensurate with the crime as the link between animal cruelty and interpersonal violence (*The Link*) is real and must be taken seriously (See The "Link National Coalition" resource below.) Our animal control officers are often overwhelmed and under resourced, as are our police departments and courts, yet these are the groups tasked with animal cruelty investigations and prosecutions.

Finally, **speaking up** is an important part of the solution. When we see animal cruelty, we have to say something or report it. With *The Link* in mind, when we see children being cruel to animals, we cannot look the other way or dismiss it as just "kids being kids." Children must be taught that animals are sentient beings, and they must be kind to them.

RESOURCES

<https://aldf.org/wp-content/uploads/2023/02/2022-Animal-Protection-US-State-Laws-Rankings-Report-Animal-Legal-Defense-Fund.pdf>

<https://nationallinkcoalition.org>

<https://www.ctforanimals.org/animalcruelty>

Important Animal Laws in CT: <https://www.ctforanimals.org/animal-laws-in-ct>

How to report animal abuse:

Contact your town's Animal Control Officer, local police or report cruelty to the CT. Dept. of Agriculture at 860-713-2506.

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