

## Fact Sheet

### HB2671 – NOW: animal cruelty; domestic animals; classification

#### Problem

They're the stories on the news that make you gasp. The horrifying story of a [beheaded puppy](#). The [dog beaten over and over](#) with a metal rod. The [Labrador](#) who was barely able to stand.

The Arizona Humane Society conducted more than 7,400 animal cruelty investigations last year. Only the most egregious, gut-wrenching few lead to prosecution. And when that happens, the potential criminal sentence is embarrassingly inadequate. Mental health evaluations aren't required. Probation is rarely included. Abusers charged with a class 6 felony often plead to misdemeanors. Prosecutors have to assemble a tangled web of charges (unlawful discharge of a firearm, improper disposal of an animal, etc.) to create some semblance of justice.

Horrific cases of pet abuse are in a completely opposite predicament than low-level offenses that are often lowered from a felony to a misdemeanor – the law is absolutely too lenient. It is unacceptable that someone could kill or torture a family pet and end up with zero jail time and no court supervised treatment. Our current laws must be stronger, and penalties greater. Prosecutors need the right tools to ensure the punishment fits the crime.



#### Background

Currently, Arizona law requires that abuse of pets – even in the most heinous cases – can only be charged at the lowest felony designation – a class 6 felony and in many cases is reduced to a misdemeanor, with no required supervised probation or treatment.

In a recent Arizona poll, voters were overwhelmingly supportive of legislative efforts to increase penalties for heinous cases of pet abuse. More than 87 percent of all respondents would support these efforts-with agreements across all partisan and ideological segments.

HB2671 would increase penalties in the case of extreme animal abuse to ensure the sentence reflects the severity of the crime and abusers receive supervised probation and treatment. The legislation would make it a class 5 felony to intentionally or knowingly subject a “domestic animal” to cruel mistreatment or intentionally or knowingly killing a pet without either legal privilege or consent of the pet’s owner or handler. Cruel mistreatment is defined as: to torture or otherwise inflict unnecessary serious physical injury on an animal or to kill and animal in a matter that causes protracted suffering to the animal.

It’s important to note that this bill would have absolutely no impact to livestock. It is strictly intended to address the most heinous acts of cruelty of household pets. Under current Arizona state law (3-1307), a person who knowingly kills livestock of another is guilty of a class 5 felony. In fact, HB2671 would level the playing field and applies the same rules for cattle and household pets. Right now, if you kill somebody’s cow – you can be charged with a class 5 felony, but if you kill the family dog, the worst penalty you can get is a class 6 felony.

#### Bill Provisions

1. Prohibits a person from intentionally or knowingly subjecting a domestic animal to cruel mistreatment.
2. Prohibits a person from intentionally or knowingly killing a domestic animal without legal privilege or consent of the domestic animal’s owner or handler.
3. Classifies a violation of either of these prohibitions as a class 5 felony.
4. Defines a domestic animal as a mammal, not regulated by Title 3, that is kept primary as a pet or companion or that is bred to be a pet or companion.