



OLR RESEARCH REPORT

February 20, 2013

2013-R-0148

ANIMAL CRUELTY CASES IN CONNECTICUT 2002-2012

By: Kristen L. Miller, Legislative Analyst II

This report summarizes Connecticut's primary animal cruelty statute ([CGS § 53-247](#)) and the outcome of offenses brought under it from 2002 to 2012. It updates the information contained in OLR Report [2011-R-0405](#).

SUMMARY

[CGS § 53-247](#) punishes people convicted of specified animal cruelty acts, with maximum fines ranging from \$1,000 to \$10,000, imprisonment ranging from maximum sentences of one to 10 years, or both. From 2002 to 2012, 3,699 offenses were brought under this statute. Of those offenses, 594 (16%) were found guilty, 7 (0.2%) were found not guilty, 1,210 (33%) were dismissed, and 1,883 (51%) were nolle (i.e., the prosecutor decided not to prosecute).

These statistics are based on offenses disposed of by the courts. It does not represent the number of persons charged. An individual could be charged with multiple offenses or have multiple cases during a year.

ANIMAL CRUELTY STATUTE (CGS § 53-247)

Connecticut law defines "animals" as all brute creatures and birds ([CGS § 29-108a](#)). [CGS § 53-247](#) prohibits many abusive behaviors toward animals and provides different penalties based on the severity of abuse and the abuser's intent.

Cruelty to Animals

[CGS § 53-247](#)(a), as amended by [PA 12-86](#), prohibits people from overdriving, overloading, overworking, torturing, depriving of substance, mutilating, cruelly beating or killing, or unjustifiably injuring any animal. If impounding or confining an animal, it prohibits (1) failing to provide it proper care; (2) neglecting to cage or restrain it from injuring itself or another animal; or (3) failing to supply it with wholesome air, food, and water. The statute also bans unjustifiably administering or exposing a domestic animal to any poisonous or noxious drug or substance intending that the animal will take it. Individuals in custody of an animal may not act cruelly to it; fail to provide it with proper food, drink, or shelter; abandon it; or carry or cause it to be carried in a cruel manner. Fighting with or baiting, harassing, or worrying an animal to make it perform for amusement, diversion, or exhibition is also prohibited. A first offense is punishable by a fine of up to \$1,000, imprisonment for up to one year, or both. Each subsequent offense is punishable by a fine of up to \$5,000, imprisonment for up to five years, or both.

Under [CGS § 53-247](#)(b), maliciously and intentionally maiming, mutilating, torturing, wounding, or killing an animal is punishable by a fine of up to \$5,000, up to five years imprisonment, or both. This offense does not apply to (1) licensed veterinarians following accepted practice standards; (2) persons following approved slaughter methods; (3) students, employees, or persons performing medical research and associated with a hospital, educational institution, or laboratory; and (4) persons abiding by generally accepted agricultural practices or lawfully engaged in taking wildlife.

Animals Engaged in Exhibition of Fighting

Under [CGS § 53-247](#)(c), the following actions are also punishable by a fine of up to \$5,000, up to five years imprisonment, or both: knowingly

1. owning, possessing, keeping, or training an animal engaged in fighting for amusement or gain;
2. possessing, keeping, or training an animal to engage in a fighting exhibition for amusement or gain;
3. allowing such acts to occur on premises under one's control;
4. acting as a judge or spectator at such an exhibition; or

5. betting or wagering on the outcome of an exhibition.

Intentionally Injuring or Killing Police Animals or Dogs in Volunteer Canine Service and Rescue Teams

Under [CGS § 53-247](#)(d), intentionally injuring an animal performing its duties under a peace officer's supervision or intentionally injuring a dog performing its duties as a member of a volunteer canine search and rescue team, is punishable by a fine of up to \$5,000, up to five years imprisonment, or both.

And under [CGS § 53-247](#)(e), intentionally killing such an animal is punishable by a fine of up to \$10,000, up to 10 years imprisonment, or both.

OUTCOME OF ANIMAL CRUELTY CASES

The following tables summarize Judicial Department data on animal cruelty offenses from 2002 to 2012.

Table 1 shows the procedural outcome of animal cruelty offenses, by year. As the table shows, during this period 51% of the offenses were nolle, 33% were dismissed, and 16% resulted in guilty findings.

Table 1: Procedural Outcome of Animal Cruelty Offenses, 2002 – 2012

<i>Finding</i>	<i>Total for Period</i>	YEAR										
		2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Bond Forfeiture	5	2	2	1	0	0	0	0	0	0	0	0
Dismissed	1210	255	108	62	33	140	146	107	100	83	89	87
Guilty	594	57	37	32	38	70	54	38	66	48	65	89
Not Guilty	7	3	0	0	0	0	1	3	0	0	0	0
Nolle	1883	111	201	249	130	212	138	217	136	125	167	197
Total	3699	428	348	344	201	422	339	365	302	256	321	373

Table 2 shows the number of animal cruelty offenses by statute and year. Ninety-eight percent of the offenses were violations of the statutory subsection prohibiting people from using or treating animals in harmful ways ([CGS § 53-247](#)(a)). (The other subsections penalize people for intentionally, knowingly, or maliciously abusing animals in specific ways.)

Table 2: Animal Cruelty Offenses by Statute, 2002 to 2012

Violation Description and Penalty	CGS	YEAR											Total
		2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	
Cruelty to animals.	53-247(a)	419	344	341	192	419	323	356	286	252	308	367	3607
Malicious or intentional cruelty to animals.	53-247(b)	4	3	2	8	2	14	3	4	2	1	5	48
Knowingly engaging in the exhibition of fighting animals.	53-247(c)	5	1	1	0	0	0	0	11	2	11	0	31
Intentionally injuring a police animal or dog in a volunteer canine search and rescue team.	53-247(d)	0	0	0	1	1	2	6	1	0	1	1	13
Intentionally killing a police animal or dog in a volunteer canine search and rescue team.	53-247(e)	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL		428	348	344	201	422	339	365	302	256	321	373	3699

Attachments one through 11 show the outcomes of each statutory category of animal cruelty offenses for 2002 to 2012, respectively.

Attachment 1: 2002 Procedural Outcomes of Animal Cruelty Offenses

Statutory Section	Total	Bond Forfeiture	Dismissed	Guilty	Not Guilty	Nolle
CGS § 53-247(a)	419	2	253	55	0	109
CGS § 53-247(b)	4	0	0	2	2	0
CGS § 53-247(c)	5	0	2	0	1	2
CGS § 53-247(d)	0	0	0	0	0	0
CGS § 53-247(e)	0	0	0	0	0	0
TOTAL	428	2	255	57	3	111

Attachment 2: 2003 Procedural Outcomes of Animal Cruelty Offenses

Statutory Section	Total	Bond Forfeiture	Dismissed	Guilty	Not Guilty	Nolle
CGS § 53-247(a)	344	2	105	36	0	201
CGS § 53-247(b)	3	0	2	1	0	0
CGS § 53-247(c)	1	0	1	0	0	0
CGS § 53-247(d)	0	0	0	0	0	0
CGS § 53-247(e)	0	0	0	0	0	0
TOTAL	348	2	108	37	0	201

Attachment 3: 2004 Procedural Outcomes of Animal Cruelty Offenses

Statutory Section	Total	Bond Forfeiture	Dismissed	Guilty	Not Guilty	Nolle
CGS § 53-247(a)	341	1	62	30	0	248
CGS § 53-247(b)	2	0	0	2	0	0
CGS § 53-247(c)	1	0	0	0	0	1
CGS § 53-247(d)	0	0	0	0	0	0
CGS § 53-247(e)	0	0	0	0	0	0
TOTAL	344	1	62	32	0	249

Attachment 4: 2005 Procedural Outcomes of Animal Cruelty Offenses

Statutory Section	Total	Bond Forfeiture	Dismissed	Guilty	Not Guilty	Nolle
CGS § 53-247(a)	192	0	32	31	0	129
CGS § 53-247(b)	8	0	1	7	0	0
CGS § 53-247(c)	0	0	0	0	0	0
CGS § 53-247(d)	1	0	0	0	0	1
CGS § 53-247(e)	0	0	0	0	0	0
TOTAL	201	0	33	38	0	130

Attachment 5: 2006 Procedural Outcomes of Animal Cruelty Offenses

Statutory Section	Total	Bond Forfeiture	Dismissed	Guilty	Not Guilty	Nolle
CGS § 53-247(a)	419	0	140	68	0	211
CGS § 53-247(b)	2	0	0	1	0	1
CGS § 53-247(c)	0	0	0	0	0	0
CGS § 53-247(d)	1	0	0	1	0	0
CGS § 53-247(e)	0	0	0	0	0	0
TOTAL	422	0	140	70	0	212

Attachment 6: 2007 Procedural Outcomes of Animal Cruelty Offenses

Statutory Section	Total	Bond Forfeiture	Dismissed	Guilty	Not Guilty	Nolle
CGS § 53-247(a)	323	0	146	49	1	127
CGS § 53-247(b)	14	0	0	4	0	10
CGS § 53-247(c)	0	0	0	0	0	0
CGS § 53-247(d)	2	0	0	1	0	1
CGS § 53-247(e)	0	0	0	0	0	0
TOTAL	339	0	146	54	1	138

Attachment 7: 2008 Procedural Outcomes of Animal Cruelty Offenses

Statutory Section	Total	Bond Forfeiture	Dismissed	Guilty	Not Guilty	Nolle
CGS § 53-247(a)	356	0	106	35	2	213
CGS § 53-247(b)	3	0	0	1	1	1
CGS § 53-247(c)	0	0	0	0	0	0
CGS § 53-247(d)	6	0	1	2	0	3
CGS § 53-247(e)	0	0	0	0	0	0
TOTAL	365	0	107	38	3	217

Attachment 8: 2009 Procedural Outcomes of Animal Cruelty Offenses

Statutory Section	Total	Bond Forfeiture	Dismissed	Guilty	Not Guilty	Nolle
CGS § 53-247(a)	286	0	100	53	0	133
CGS § 53-247(b)	4	0	0	2	0	2
CGS § 53-247(c)	11	0	0	11	0	0
CGS § 53-247(d)	1	0	0	0	0	1
CGS § 53-247(e)	0	0	0	0	0	0
TOTAL	302	0	100	66	0	136

Attachment 9: 2010 Procedural Outcomes of Animal Cruelty Offenses

Statutory Section	Total	Bond Forfeiture	Dismissed	Guilty	Not Guilty	Nolle
CGS § 53-247(a)	252	0	82	46	0	124
CGS § 53-247(b)	2	0	0	1	0	1
CGS § 53-247(c)	2	0	1	1	0	0
CGS § 53-247(d)	0	0	0	0	0	0
CGS § 53-247(e)	0	0	0	0	0	0
TOTAL	256	0	83	48	0	125

Attachment 10: 2011 Procedural Outcomes of Animal Cruelty Offenses

Statutory Section	Total	Bond Forfeiture	Dismissed	Guilty	Not Guilty	Nolle
CGS § 53-247(a)	308	0	77	64	0	167
CGS § 53-247(b)	1	0	1	0	0	0
CGS § 53-247(c)	11	0	11	0	0	0
CGS § 53-247(d)	1	0	0	1	0	0
CGS § 53-247(e)	0	0	0	0	0	0
TOTAL	321	0	89	65	0	167

**Attachment 11: 2012 Procedural Outcomes of Animal Cruelty
Offenses**

Statutory Section	Total	Bond Forfeiture	Dismissed	Guilty	Not Guilty	Nolle
CGS § 53-247(a)	367	0	87	86	0	194
CGS § 53-247(b)	5	0	0	2	0	3
CGS § 53-247(c)	0	0	0	0	0	0
CGS § 53-247(d)	1	0	0	1	0	0
CGS § 53-247(e)	0	0	0	0	0	0
TOTAL	373	0	87	89	0	197

KLM:ro