



# OLR RESEARCH REPORT

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## ANIMAL ABUSER REGISTRIES

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You asked for a summary of the (1) Animal Legal Defense Fund's model animal abuser registry law and (2) animal abuser registry laws in New York's Albany, Rockland, and Suffolk counties. You also asked if the Connecticut General Assembly has considered legislative proposals for an animal abuser registry.

### SUMMARY

The Animal Legal Defense Fund (ALDF) published a model animal abuser registry law in February 2010. In October 2010, Suffolk County, New York enacted the first animal abuser registry law. New York's Rockland and Albany counties enacted similar animal abuser registry laws in 2011. These three laws appear to be the only such laws in the United States at this time.

Animal abuser registry laws require people who have been convicted of animal abuse to annually register with authorities for a period of years. The registry, which includes the abuser's name and address, is made public. Any person who is required to register but fails to is subject to penalties.

Connecticut legislators proposed four bills in 2011 ([SB 871](#), [HB 5013](#), [HB 5185](#), and [HB 5362](#)) and one in 2013 ([HB 5205](#)) requiring the state to establish an animal abuser registry. Each bill was referred to the Environment Committee, where it died without a public hearing.

## **ANIMAL LEGAL DEFENSE FUND - MODEL LAW**

ALDF is an animal rights law organization based in California. Founded in 1979, ALDF advocates for stronger enforcement of anti-cruelty laws and more humane treatment of animals. In February 2010, ALDF released an “Offender Registration and Community Notification,” or animal abuser registry, model law on its website (<http://aldf.org/downloads/OffenderRegistryModelLaw.pdf>).

The model law defines an “animal abuser” as a person over age 18 who has been convicted of a felony violation of an animal protection statute. It requires an animal abuser who is within the adopting state’s boundaries for more than 10 consecutive days to register with authorities, providing the following information:

1. legal name and any other names or aliases used;
2. date of birth;
3. Social Security number;
4. current address or location;
5. place of employment;
6. the animal protection offense for which he or she was convicted;
7. the date and place of the offense;
8. a photograph and a complete set of fingerprints; and
9. a description of any tattoos, scars, or other distinguishing features that would assist in identifying him or her.

The model law requires an animal abuser to annually renew his or her registration by December 31 for 15 years. Failure to register, or providing false information when registering, is a felony.

The model law requires authorities to maintain a local registry and forward all registration to the state’s Department of Justice or similar agency. The state agency must maintain a central animal abuser registry that is publically available. All registry information, except Social Security numbers, must be made available.

## NEW YORK COUNTY LAWS

New York’s Albany, Rockland, and Suffolk counties have enacted animal abuser registry laws. These laws establish county-wide online registries of residents convicted of animal abuse crimes. They require an animal abuse offender to register with authorities within five days of conviction or release from incarceration by submitting his or her (1) name and aliases, (2) address, and (3) head photo. He or she must update the information annually and each time his or her address changes. Offenders must pay an annual \$50 registration fee to cover the registry’s administrative and maintenance costs.

Two of the counties (Albany and Rockland) also (1) require certain pet sellers to check the registry before selling or otherwise transferring any animal to a person and (2) prohibit the sellers from transferring animals to any registered offender.

Table 1 compares key provisions of each county law, including the definition of an offender, the number of years an offender must remain on the registry, and the penalty for failing to register.

**Table 1: Albany, Rockland, and Suffolk Counties’ Animal Abuser Registry Laws**

	<i>Albany</i>	<i>Rockland</i>	<i>Suffolk</i>
<b>Definition of “offender”</b>	Any county resident age 16 or older convicted of an animal abuse crime on or after the law’s effective date	Any county resident age 18 or older convicted of an animal abuse crime on or after the law’s effective date	Any county resident age 18 or older convicted of an animal abuse crime on or after the law’s effective date
<b>Number of years offender must remain on the registry</b>	10 years; a current or former registrant who is convicted of a subsequent animal abuse crime remains on the registry for life	Four years; a registered person who is convicted again of animal abuse crimes remains on the registry for four years following the most recent conviction	Five years; a registered person who is convicted again of animal abuse crimes remains on the registry for 10 years following the most recent conviction
<b>Penalty for failing to register</b>	A misdemeanor, punishable by imprisonment of up to one year, a fine of up to \$1,000 for each day the failure continues, or both	A class A misdemeanor, which is punishable by imprisonment of up to one year, a fine of up to \$1,000, or both	A class A misdemeanor, which is punishable by imprisonment of up to one year, a fine of up to \$1,000, or both

Table 1 (continued)

	<i>Albany</i>	<i>Rockland</i>	<i>Suffolk</i>
<b>Authority responsible for maintaining registry</b>	Albany County Sheriff, who may negotiate an agreement with the Mohawk and Hudson River Humane Society to establish and maintain the registry	Rockland County Sheriff's Department	Suffolk County Police Department's commissioner, who may contract with the Suffolk County Society for the Prevention of Cruelty to Animals to establish and maintain the registry
<b>Prohibition on pet sellers and related penalty</b>	Animal shelters, pet sellers, or others who sell, exchange, or otherwise transfer ownership of animals (1) must check the registry before any pet transfer and (2) are prohibited from transferring animals to a registered offender; violators are subject to a \$5,000 fine	<p>Pet dealers, societies for the prevention of cruelty to animals, humane societies, pounds, shelters, or their agents must check the registry to see if a prospective consumer is a registered animal abuser; failure to do so is a violation and subsequent violations are class A misdemeanors</p> <p>Also, they are prohibited from knowingly selling or offering to sell an animal to any registered animal abuser; doing so is a class A misdemeanor</p>	None

Source: individual laws, available at: <http://www.nysac.org/legislative-action/documents/AlbanyLocalLaw-AnimalAbuseReg.pdf>, <http://www.ecode360.com/15306523>, and <http://www.ecode360.com/15405586> ((last viewed September 30, 2013).

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