

## **Increased Penalties for Harming Law Enforcement Animals; HB 2583**

**HB 2583** amends the crime of inflicting harm, disability, or death upon certain law enforcement animals to include police horses; increases penalties for inflicting harm that results in disability or death to these animals; and specifies the restitution available for a violation of the crime.

### ***Inflicting Harm, Disability, or Death to Certain Law Enforcement Animals***

Continuing law defines inflicting harm, disability, or death to specified law enforcement and assistance dogs as knowingly, and without lawful cause or justification, poisoning, inflicting great bodily harm, permanent disability, or death. The bill adds police horses to the list of specified animals that are covered under the crime.

Continuing law provides the crime is classified as a nongrid, nonperson felony with a mandatory minimum prison sentence of 30 days and up to one year of imprisonment, and a fine \$500 to \$5,000. The bill removes a requirement that the offender have a psychological evaluation during the mandatory prison sentence and be ordered to complete an anger management program as a condition of probation when an offender is convicted of a nongrid, nonperson felony violation of the crime.

### ***Increased Penalties for Inflicting Harm Resulting in Disability or Death***

The bill provides that inflicting harm that results in disability or death of a specified animal, with the exception of assistance dogs, is classified as a severity level 4 nonperson felony, with a penalty of:

- Mandatory 90 days imprisonment;
  - A requirement that 90 days imprisonment be served before the person is eligible for release on probation, suspension, or reduction of sentence or parole;
- A minimum fine of \$10,000; and
- During the mandatory imprisonment period, completion of:
  - A psychological evaluation; and
  - Completion of an anger management program as a condition of probation.

The crime is classified as a severity level 3 nonperson felony, with the same penalty described above, when the crime is committed while:

- Fleeing or attempting to elude a police officer;

- Interfering with law enforcement;
- Escaping from custody; or
- Committing an aggravated escape from custody offense.

### ***Restitution***

The bill requires restitution ordered for the crime to include:

- Costs of veterinary medical treatment;
- Reasonable funeral and burial expenses; and
- Replacement costs of the police dog, arson dog, assistance dog, game warden dog, search and rescue dog, or police horse, to include:
  - Training costs;
  - Personnel expenses; and
  - Costs associated with boarding the animal during training.

### ***Definitions***

The bill amends the definition of “police dog”—any dog owned or 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—to remove language regarding the dog’s purpose.

The bill also adds a definition of “police horse” to mean any horse that is owned by, or the service of which is employed by, a law enforcement agency.