

MINNESOTA STATE BAR ASSOCIATION

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*of Minnesota*



**Why  
Minnesota  
needs an  
Office of  
Animal  
Protection**

# Why Minnesota needs an Office of Animal Protection

*For 150 years, enforcement of animal cruelty laws has been hit or miss. A new bill at the Legislature aims to change that.*

BY STACY L. BETTISON



**M**innesota has had animal cruelty laws on the books for over 150 years. These laws create criminal liability for torturing, neglecting, beating, mutilating, or abandoning animals; depriving them of food; or keeping them enclosed without providing exercise. Unlike other crimes of violence, however, the state of Minnesota has devoted virtually no resources to the enforcement of these laws. With the exception of a period in the early 1900s when the state devoted resources to animal cruelty—at the time it was associated in the civic mind with child abuse—such abuse has fallen through the cracks for well over 100 years. This lack of enforcement resources has hurt both animals and people. (Links between animal cruelty and human violence, as we will see, are long established.)

Recently there has been a concerted effort to provide better protection to animals and people by reforming this too-seldom-noticed area of criminal justice. In the words of Ann Olson, the executive director of a Minnesota-based animal protection organization called Animal Folks, “We have been tracking and analyzing animal cruelty cases in Minnesota for over 15 years. While many authorities, including law enforcement, prosecutors, veterinarians, and animal care facilities, strive to protect animals and enforce animal cruelty laws, we have found these authorities are not given adequate assistance, training, or resources to support their efforts.”

In response to its findings, Animal Folks worked with Minnesota legislators and criminal justice partners to create the Office of Animal Protection bill. In the proposed legislation,<sup>1</sup> the office would be created under the Department of Public Safety and provide expertise and resources to assist local, state, tribal, and federal agencies in the prevention, investigation, and prosecution of animal cruelty.

This article examines the history of animal cruelty laws in Minnesota as well as the acute and longstanding need for better-organized and more concerted enforcement of these laws. It also explains how the proposed Office of Animal Protection would meet these needs.

## A BRIEF HISTORY OF ANIMAL CRUELTY LAWS IN MINNESOTA

### *Criminal liability*

Animal cruelty was designated a crime even before Minnesota became a state in 1858. In 1851, the Legislative Assembly of the Territory of Minnesota enacted a law providing for a maximum of 30 days in jail for anyone “who cruelly beat or tortures any horse, ox or other animal, whether belonging to himself or another...”<sup>2</sup>

After statehood, on March 6, 1871, the Legislature passed “An Act for the prevention of cruelty to animals.”<sup>3</sup> This set forth an extensive body of laws that covered all species and

substantially mirrored much of the current statute, with requirements of caring for animals (food, water, shelter) and prohibiting certain actions toward animals (overworking, torture, beating, and the like).<sup>4</sup> It defined “animal” to include “all brute creatures,” and defined “owner,” “person,” and “whoever” to include corporations and individuals.<sup>5</sup> It widened the net of criminal liability by imputing the acts and knowledge of agents or anyone employed by corporations to the corporations themselves, thus creating vicarious liability.<sup>6</sup>

Another provision criminalized the abandonment of sick and disabled animals: “If any maimed, sick, infirm or disabled animal shall be abandoned to die by any owner, or person having charge of the same, such person shall, for every such offence, be punished in the same manner provided in section one.”<sup>7</sup>

Twenty-seven years later, in 1905, the Minnesota Legislature passed an updated statute, which in many respects survives as our modern-day animal cruelty statute. The statute then defined “animal” the same as it does today: “the word ‘animal’ shall include every living creature except the human race.”<sup>8</sup> The definition of “torture” or “cruelty” was simplified, and likewise remains largely the same today: “every act, omission, or neglect whereby unnecessary or unjustifiable pain, suffering, or death shall be caused or permitted.”<sup>9</sup> The most recent change to the law came in 2020, when immunity for veterinarians reporting cruelty was enacted.<sup>10</sup>

### *Government structure*

But laws require an enforcement mechanism, especially when the subjects protected by the law are particularly vulnerable and have little or no voice. In 1869, recognizing that both animals and children were among society’s most vulnerable, the state established the Minnesota Society for the Prevention of Cruelty to Animals to enforce humane laws and to prevent cruelty to *both* animals and children.<sup>11</sup> (Given this enlarged purview, the Legislature later changed the name to the Minnesota Society for the Prevention of Cruelty.<sup>12</sup>) In 1905, the society was officially made Minnesota’s Bureau of Child and Animal Protection.<sup>13</sup>

This structure remained in place until 1925, when the enforcement of cruelty laws for animals and children was separated; animals were put under the Board of Control (Department of Public Institutions) and children were put within the Children’s Bureau.<sup>14</sup> Under these auspices, the Society for the Prevention of Cruelty was charged with preventing cruelty to animals and providing a humane education program. The education program was discontinued in 1933 due to a lack of funds, and in 1939, the Board of Control that had overseen it was abolished. The Society for the Prevention of Cruelty subsequently reinstated its humane education program and focused on investigating complaints and enforcing humane laws.<sup>15</sup>

In 1971, the Legislature allowed the Society for the Prevention of Cruelty to refer to itself as the Minnesota Humane Society, and in 1977, the Minnesota Society for the Prevention of Cruelty was officially dropped; it was then that the Humane Society became an official state agency.<sup>16</sup> Later, in 1987, the Minnesota Humane Society was abolished as a state agency (but continues to exist as an active nonprofit organization) and the power to assist law enforcement in the investigation of animal cruelty laws was granted to humane agents in county and district societies and a federation of humane societies.<sup>17</sup>

These entities are not state agencies. They operate as nonprofit organizations providing paid and volunteer humane agents. The Animal Humane Society, as one example, employs two paid humane agents to assist law enforcement with animal cruelty cases, and also provides assistance with equipment, veterinary care, and housing/care of seized animals.

### Enforcement

As for enforcement of the cruelty laws, in 1871, the Legislature imposed an affirmative duty on law enforcement to prosecute all violations of the animal cruelty laws “which shall come to their notice or knowledge.”<sup>18</sup> This allowed agents of the Minnesota Society for the Prevention of Cruelty to Animals the power to arrest and “bring before any court” anyone found violating the cruelty law.<sup>19</sup>

The 1871 statute required law enforcement to feed and take care of the animals once a person was arrested.<sup>20</sup> The person caring for the animals took a lien on the animals for the cost of caring for them until the arrested person was able to care for them again.<sup>21</sup> All fines and forfeitures imposed or collected under the act were to be given to the Minnesota Society for the Prevention of Cruelty to Animals.<sup>22</sup>

Today, primary jurisdiction for enforcement of animal cruelty statutes remains under police departments and county sheriff’s offices, with some authority granted to humane agents and animal control officers. Law enforcement is able to call upon experts to assist in their investigations. The statute continues to impose the duty to investigate allegations of cruelty to animals and to arrest individuals believed to be violating the law.<sup>23</sup> Officers can “take possession” of cruelly treated animals and deliver them to the “proper officers of the county or district for custody and care.”<sup>24</sup>

### Early case law

One 1933 Minnesota case involved the death of a horse. In *State v. Maguire*, a jury found the defendant guilty of willfully and unlawfully depriving a horse of necessary food, causing the horse’s death.<sup>25</sup> The issue was whether the evidence was sufficient to sustain a finding by the jury that the horse’s death resulted from starvation. The Minnesota Supreme Court affirmed the case, noting that the evidence in the case showed that the grass in the pasture was insufficient to feed the horses. It further noted witness testimony that the pasture was “as bare as a floor,” other evidence presented that the horse’s condition “became poorer and poorer,” and opinion testimony that the horse was starved to death. The court affirmed his misdemeanor conviction. In terms of jurisprudence, *Maguire* and later cases confirm that “torture” and “cruelty” include acts of omission and neglect, willful failures to *do something*—common elements in animal cruelty cases.<sup>26</sup>

The animal cruelty law has been challenged as unconstitutionally vague. In *State v. Hoseth*,<sup>27</sup> the Plymouth Police Department responded to a call reporting two German Shepherds and

12 puppies in a car. Upon arrival, police officers detected a strong odor of urine and feces coming from the car and observed dogs licking the windows and an absence of water in the car. The police opened the car and removed the animals, and upon doing so observed that some dogs’ fur was soiled with feces, although the dogs did not appear to be in pain or dehydrated. Ultimately, the defendant contacted authorities to confirm ownership, asking that the animals be returned to him. The police refused and instead took them to the Humane Society, where they were determined to be in relative good health and not suffering from malnutrition or dehydration.

The defendant was charged with three counts of animal cruelty and argued that “necessary” was vague in the prohibition that “No person shall deprive any animal over which the person has charge or control of necessary food, water, or shelter.”<sup>28</sup> The defendant argued that “necessary” implies a “level of food, water or shelter required to sustain life and that ‘only deprivation of nourishment or shelter which results in death is criminalized’ by the statute. The court disagreed, making clear that the statute did not require the death of an animal to find a party failed to provide necessary water or shelter:

“This argument suggests that the legislature intended to prohibit persons from causing death to animals by depriving them of food, water or shelter but did not intend to prevent owners from bringing the animals to the brink of death by depriving them of these necessities. We find the legislature intended to prohibit animal owners from exposing their animals to conditions likely to result in needless suffering. Appellant’s conduct violated this legislative prohibition.”<sup>29</sup>

### ANIMAL CRUELTY AND HUMAN VIOLENCE

Animal cruelty is recognized by the state of Minnesota to be a serious crime, rising to felony level criminal liability. This reflects the morally sound view that animal cruelty is wrong and people who commit this crime must be held accountable. But while animal cruelty was traditionally considered an isolated issue affecting only animals, it has since become clear that animal cruelty presents a public safety problem that very often impacts humans.<sup>30</sup>

Nearly 70 percent of households in the United States have a companion animal in their care, and, among other things, this presents opportunities for people who are abusing people to also abuse animals as a form of leverage and control. In 2015, the FBI classified animal cruelty as a Group A offense and a crime against society.<sup>31</sup> And numerous studies have documented the varied links between animal abuse and crimes of human violence, including child abuse, elder abuse, and domestic violence.

Some data points regarding the connection:

- 89 percent of women who had companion animals during an abusive relationship reported that their animals were threatened, harmed, or killed by their abuser.<sup>32</sup>
- 56 percent of battered women entering shelters delayed their escape from an abusive partner due to concerns for the welfare of pets or livestock left behind.<sup>33</sup>
- 88 percent of homes where children were being abused also contained animals that were being abused or neglected.<sup>34</sup>
- 43 percent of school shooters have tortured or killed animals.<sup>35</sup>

Numerous studies have documented the varied links between animal abuse and crimes of human violence, including child abuse, elder abuse, and domestic violence. One analysis reported that 89 percent of women who had companion animals during an abusive relationship reported that their animals were threatened, harmed, or killed by their abuser.



- 70 percent of people who committed violent crimes against animals also had criminal records for violent, property, drug, or disorderly conduct crimes.<sup>36</sup>

In Minnesota, there are countless cases where animal cruelty was connected to human violence. A few cases contained in Minnesota court records include:

- Ziggy, a dog, was abused repeatedly by owner's live-in boyfriend of three months, resulting in multiple injuries to the dog. Dog sustained bruising and abrasions to chest, puncture wounds on his front legs, three lacerations to lip, puncture to left chin, lacerated tongue, fractures to 16 teeth, complicated crown-root fractures of 9 teeth, and evidence of metal staining on the right maxillary canine tooth. Upon questioning by police, the boyfriend admitted to threatening girlfriend as well as kicking and using his fists to repeatedly punch Ziggy on multiple occasions.
- Thor, a dog, was used in sex acts of owner's live-in boyfriend. Boyfriend flagged by law enforcement after National Center for Missing and Exploited Children received a tip for potential sexual child abuse material located on Google photos infrastructure. The Minnesota Bureau of Criminal Apprehension investigated and identified defendant. Law enforcement executed a search warrant to find VHS tapes where defendant engaged in bestiality with Thor and other dogs. Defendant's electronic devices contained child pornography, depicting children who appeared to be as young as two.
- Dog was kicked multiple times by owner's estranged husband when he came over to her house intoxicated. After kicking the dog, the estranged husband grabbed and shoved wife. Wife reported to police that she and her husband were going through a divorce and she often gets nervous about his temper.
- Three cats, killed by owner. Law enforcement called to respond to house fire, saw "F\*\*\* U" and "C\*\*t" written on the front door of his house. Owner stated that he was sick of his "old lady" and decided to "light it up." Fire was extinguished. Owner said he has let the cats out before set-

ting fire. Law enforcement went inside house after fire extinguished and found dead cats.

No state agency exists to assist law enforcement, city or county prosecutors, veterinarians, animal care facilities, or others tasked with the job of enforcing animal cruelty law. Unlike predatory crimes, illicit drug crimes, human trafficking, and the newly established Fraud and Financial Crimes Unit at the Bureau of Criminal Apprehension, there is no state support for enforcing laws against the abuse or neglect of animals. That support ended in the late 1930s.

The result is inconsistency in investigations and enforcement—a problem I have personally witnessed over the past 13 years as a volunteer in animal cruelty cases. The reality is that, depending on a particular jurisdiction's resources and the experience and training of law enforcement and the other professionals involved in investigations, a crime could be fully and properly investigated and prosecuted, resulting in a conviction—or it could fall through the cracks, resulting in no accountability and continuing risk to the public.

#### THE PROPOSED OFFICE OF ANIMAL PROTECTION

Several elements of effective enforcement are currently lacking. The bill to create a state Office of Animal Protection (OAP) aims to address a number of those deficits.

##### *The leadership gap*

Animal cruelty investigations frequently require a multi-disciplinary approach that involves specialized expertise and skills. These different disciplines—from law enforcement and prosecutors to veterinarians, animal care facilities, and others—must collaborate to move a case forward successfully. This requires state-wide leadership that the Minnesota OAP would provide through a unified command structure.

The intent of the office is to build out a team of experts in different fields, including special agents, crime analysts, veterinarians, and others skilled in specific aspects of animal cruelty investigations and forensics. Further, the office would hire a prosecutor, under the Attorney General's Office, to assist city and county attorneys and law enforcement agencies across the state.

The office would not supplant the authority or duties currently held by law enforcement or prosecutors; instead, it would provide the kind of assistance that effective prevention, investigation, and prosecution of animal cruelty crimes require.

### *The training gap*

As in any discipline, training is critical for those who bear responsibility for enforcing the law. Many colleges and universities do not provide education specific to animal cruelty investigations, prosecutions, or veterinary forensics. Authorities must find acceptable training on their own—and much of this training is not specific to Minnesota law.

Reese Frederickson, the Pine County Attorney since 2014, has prosecuted numerous animal crimes, co-authored the animal cruelty chapter of the Minnesota Judges Criminal Benchbook, and presented CLE classes on prosecuting animal cruelty cases. “Minnesota’s animal cruelty laws are only as good as those who are trained to enforce them,” he notes. “Like any substantive area of the law, training throughout law enforcement, veterinary medicine, prosecutors, and the court system is a must. Animal cruelty presents a serious public safety problem, and proper training and education of all criminal justice partners will better serve and protect the public.”

### *The resource gap*

Animal cruelty cases can be costly due to the necessity of transport, care, and housing for animals once they are seized or surrendered. Cases may not be pursued or animals not seized due to a lack of qualified services or a high cost of care. Animal shelters are often asked to absorb expenses for animal care and keeping. Nancy Turner, founder and president of This Old Horse, Inc., a nonprofit rescue based in Hastings, has responded to numerous animal cruelty cases involving equines where trailers, food, and specialized care are needed to help the harmed animals.

Of particular concern is where to put horses when they are seized. An owner has up to 10 days to request a hearing concerning the seizure.<sup>37</sup> According to Turner, “There are very few places in the state that have the ability to hold horses for the 10-day hearing window. Horses need to be quarantined because, particularly in neglect and cruelty cases, they may be infested with parasites, have infectious diseases, and lack vaccinations such that other healthy horses would get sick if they were grouped together.” When there is no place to hold the horses, the inclination may be to not seize the animals or pursue any investigation. “We’d rather have 10 horses come into our rescue program than have them languish,” says Turner. “The challenge is always the quarantine piece.”

## A tale of two animal abuse investigations



### ‘WITH A BOW ON TOP’

**F**roto, an eight-year-old male Bichon Frise that weighed 16 pounds, was the companion to a 73-year-old woman. Upon returning from an errand one day, she found the dog shaking, scared, and bleeding under her kitchen table. She immediately brought him to her veterinarian, who found blunt force trauma so severe that Froto had to be euthanized. The veterinarians suspected animal cruelty. Froto’s owner reported it to the Washington County Sheriff.

Froto’s body was sent to the University of Minnesota for a forensic necropsy. The necropsy found blunt force trauma, suggesting abuse. The woman had two tenants living in her home. A Washington County sheriff’s deputy conducted interviews with the dog’s owner, the tenants, and the veterinarians. A tenant who had lived in the house for one month admitted to beating Froto multiple times when the woman was not in the house. The sheriff’s office submitted its incident report with evidence to the Washington County Attorney’s Office, which charged the tenant with one count of felony animal cruelty.<sup>1</sup> The defendant pled guilty as charged and was sentenced to 90 days in jail, three years’ probation, and restitution.

Marc Berris, assistant county attorney for Washington County, prosecuted Froto’s case. He says the county attorney’s office was able to get justice for Froto because “the investigation was flawless.” The detective “saw the reports, took the calls seriously, applied the training he had received, and did everything right. By the time it got to me, it was gift wrapped with a bow on top.” ▲

### TOO LITTLE TOO LATE

**I**t was late October 2018. The strikingly poor condition of horses kept in a tiny round pen with no roof on a property in southern Minnesota caught the attention of a good Samaritan. All the horses were thin. One was lame. The witness called law enforcement to make a complaint, and an officer visited the property to assess the horses. The owner had an explanation for why the horses were thin: He had just gotten them from a “kill pen.” The owner further explained that one horse was limping because her hooves needed to be trimmed, and that the horses were outside with no shelter because they had to be quarantined. The owner stated he intended to get only one horse at the kill pen but got seven instead.

Five months later, winter had come and gone and a second complaint about the same horses was called in. Law enforcement visited the property but failed to make contact with the owner and left a voicemail. The next day, a third call came in, this time reporting two dead horses under a tarp with their hooves sticking out.

Even after successful quarantine, nonprofits like This Old Horse, Inc. and other rescues then undertake an extensive and costly nutritional and injury rehabilitation, which is paid for through grassroots fundraising. Under the current terms of SF 1163/HF 1816, the OAP would seek grants to help communities with the costs of care for animals.

### The data gap

If Minnesota is to build an apparatus capable of enforcing animal cruelty laws effectively, one of the sorest needs is better information. There is very little data collected about animal cruelty crimes in the state. While the Minnesota Bureau of Criminal Apprehension has been working with the FBI and reporting agencies in Minnesota to obtain animal crime data, it will take years to construct a data set that reflects an accurate picture of Minnesota animal cruelty crimes.

In the meantime, there is a dearth of information about animal cruelty that would help increase public safety: How many suspected violations of law are reported in any given year, and to whom are they reported? What areas of the state have the highest report rates and for what types of cruelty? How many reports are investigated? How many are not? How many investigations lead to criminal charges? Is sentencing applied accurately? Are sentencing conditions being followed?

The list of answers we need but don't possess is long. Animal Folks has been collecting animal cruelty data (convictions and dismissals) for Minnesota cases since 2008, analyzing charging statutes, penalties imposed, and other factors. But more data is needed, says Executive Director Ann Olson: "As with any crime, data is critical. The more data collected, the more effectively laws can be enforced and cruelty can be prevented from happening to animal and human victims."

Beyond data, additional needs include creating a systematic, organized way for people to report suspected animal cruelty. The public is often unsure about where to turn. Through the years I have responded to numerous calls that come into the Minnesota Horse Welfare Coalition. Most people don't know that calling the sheriff or local police is the first step they should take.

### CONCLUSION

Minnesota law is clear: People should not torture, be cruel to, or neglect animals. Those who do so violate the law. While our laws are clear, Minnesota has fallen short of ensuring that animal cruelty laws are enforced with consistency and success. And while animals deserve protection under the laws in their own right, we also know that animal safety is intimately tied up with the health and safety of humans. The Office of Animal Protection is a bill to strengthen public safety. ▲

Law enforcement reached the owner by phone and the owner claimed that he rescued six horses in October, and all but one adapted. He said he fed his horses twice a day. Law enforcement called a veterinarian who had been out to the property four to six weeks earlier. The veterinarian indicated that the owner should have been feeding the horses twice what he was feeding them. He rated the body condition score of the horses 2 out of 10.<sup>2</sup> The auction facility was contacted to determine the body condition of the horses prior to purchase and claimed the horses' body condition scores were 5.<sup>3</sup>

The next day, law enforcement visited the property with two investigators and a humane agent. The horses' ribs and spines were protruding. There was no clear ground in the paddocks, and they were covered with manure and mud. The fence boards had been chewed on. Inside the barn, the horse pens were in the same condition as the outside paddocks—full of manure and dirt, with no bedding and no food remnants. The water trough had manure in it. An inspection of the full property found seven live horses, two dead horses, and one donkey. The owner surrendered the equines, which were brought to Anoka Equine Veterinary Services. Once at Anoka Equine, a 20-year-old bay named Buddy was euthanized shortly after his arrival. (I was on-site at Anoka Equine and obtained photos of the equines, including Buddy.)



The owner was charged with two felonies and two gross misdemeanors involving torture and cruelty, and four misdemeanors. The owner pled guilty to one gross misdemeanor count and all other counts were dismissed. He was sentenced to 365 days in jail, all but 20 of which were stayed, and to two years' probation.

Barbara Colombo, president of the Minnesota Horse Welfare Coalition, was at the crime scene when the horses were surrendered. "Horses don't decline to life-threatening conditions in a short amount of time," she notes. "This is a result of extreme neglect that occurred over many months. Sadly for these horses and donkey, they languished for five months in the winter—a time when adequate food and water became especially important. While we were relieved that the horses were removed from the property, the intervention was untimely. All the animals suffered unnecessarily." ▲

### SIDEBAR

<sup>1</sup> Minn. Stat. §343.21.1.

<sup>2</sup> Body condition score (BCS) evaluates the fat deposit under the horse's skin in six areas: neck, withers, behind the shoulder, back, ribs, and tail head. BCS uses the Henneke scale: 1=poor; 9=extremely fat. The ideal BCS for most horses is 5, but can range from 4-6. See "Caring for the Underweight Horse," University of Minnesota Extension. <https://extension.umn.edu/horse-health/caring-underweight-horse> (last visited 3/3/2025).

<sup>3</sup> In my experience working in animal welfare for over a decade, encompassing numerous experiences with animal cruelty cases involving horses sold at auction, certain auctions do not consistently provide accurate information.



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## NOTES

- <sup>1</sup> Senate File 1163/House File 1816.
- <sup>2</sup> Territory of Minnesota, Chap. 107, §18 (1851). The statute was later revised, removing “other animal” and changing it to “other beasts.” Rev. Stat. ch. 101, 39 (1854). An early case concluded that dogs were not “beasts” and this was one reason the conviction must be reversed. *United States v. Gideon*, 1 Minn. 292, 295 (1856). A full analysis of *Gideon* can be found in Corwin R. Kruse’s law review article entitled *Baby Steps: Minnesota Raises Certain Forms of Animal Cruelty to Felony Status*, in which the author concluded that the 1854 statute was construed to protect “exclusively human interests.” 28 Wm. Mitchell L. Rev. 1649, 1660–61 (2002). *Gideon*, plus the placement of the animal cruelty statute located in criminal code chapters dealing with “Offences Against Chastity, Decency, and Morality” (along with such offenses as blasphemy and fornication), suggested to Kruse that the concern was more for human morality than for animal suffering. *Id.* 1661. That may be true. By 1871, however, it seems that the times had changed at least somewhat, and the pain and suffering of animals became a concern in its own right. See, e.g., Minnesota General Laws, Ch. XXXIV, §9 (1871) making it a punishable offense to abandon “any maimed, sick, infirm or disabled animal.”
- <sup>3</sup> Minnesota General Laws, Ch. XXXIV (1871). In 1878, the animal cruelty law was recodified under Chapter XCIX, Offences Against Public Policy, §§21-33, Cruelty to Animals (1878).
- <sup>4</sup> *Id.* §1. The statute specifically set out what constituted cruelty and the penalties:  
“That whoever shall overdrive, overload, overwork, torture, torment, deprive of necessary sustenance, cruelly beat, mutilate, or cause, or procure to be so overdriven, overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly beaten, or mutilated, any horse, ox or other animal, and whoever having the charge or custody of any such animal, either as owner or otherwise, shall unnecessarily fail to provide such animal with proper food, drink and shelter, or protection from the weather, shall, for each and every such offense be punished by imprisonment in jail, not exceeding three months, or by fine not less than ten dollars, and not exceeding one hundred dollars, or by both such fine and imprisonment.”
- <sup>5</sup> *Id.* §8.
- <sup>6</sup> *Id.*
- <sup>7</sup> *Id.* §9. While it may have been a provision borne out of compassion, it could have also been a practical matter of declining to impose on others the inconvenience of dealing with someone’s abandoned animals.
- <sup>8</sup> Minn. Ch. 120, §5151 (1905); Minn. Stat. §343.20, subd. 2. (2024).
- <sup>9</sup> Minn. Ch. 120, §5151 (1905); Minn. Stat. §343.20, subd. 3 (2024).
- <sup>10</sup> Minn. Stat. §343.215 (2024); see Minn. Session Laws Ch. 28, art. 4, § 33 (2020).
- <sup>11</sup> Minnesota Agencies, Minnesota Humane Society, <https://www.lrl.mn.gov/agencies/detail?AgencyID=785>, last accessed 2/25/2025.
- <sup>12</sup> The society was given official status and powers in 1889 with the title Minnesota Society for the Prevention of Cruelty, continuing to apply to both animals and children. Minnesota General Laws, Chapter 224, §3 (1889).
- <sup>13</sup> “An act to prevent wrongs to children and dumb animals and to establish a bureau of child and animal protection.” Minn. Ch. 274 (1905). At this time it also began to be referred to as the state humane society. *Id.* §3 (referring to the bureau as “humane society”).
- <sup>14</sup> Minnesota Agencies, Minnesota Humane Society, <https://www.lrl.mn.gov/agencies/detail?AgencyID=785>, last accessed 2/25/2025.
- <sup>15</sup> *Id.*
- <sup>16</sup> Minn. Ch. 264 (1977).
- <sup>17</sup> Minn. Ch. 394 (1987).
- <sup>18</sup> Minnesota General Laws, Ch. XXXIV, §12 (1871).
- <sup>19</sup> *Id.*
- <sup>20</sup> *Id.*
- <sup>21</sup> *Id.*
- <sup>22</sup> *Id.*
- <sup>23</sup> “Duties of Peace Officers,” Minn. Stat. §343.12 (2024).
- <sup>24</sup> *Id.*
- <sup>25</sup> 248 N.W. 216, 216 (Minn. 1933); Minn. Chap. 102, §10443 (1927) (“Every person who shall deprive an animal, of which he has charge or control, of the necessary food shall be guilty of a misdemeanor.”).
- <sup>26</sup> *State v. Klammer*, 41 N.W.2d 451, 453–54 (Minn. 1950) (animal maltreatment based on lack of food, emaciated living horses, and presence of dead horses); *State v. Dokken*, No. A12-1797, 2013 WL 4711131, at \*7–9 (Minn. Ct. App. 9/3/2013) (“The lack of food at the site and the obvious emaciated condition of the horses were sufficient to suggest that Dokken disregarded the risk to the horses or was indifferent to the consequences.”).
- <sup>27</sup> *State v. Hoseth*, No. C6-91-2170, 1992 WL 189427, at \*3 (Minn. Ct. App. 8/11/1992).
- <sup>28</sup> Minn. Stat. 343.21, subd. 2.
- <sup>29</sup> *Supra* note 27 at \*3.
- <sup>30</sup> Brinda Jegatheesan, Marie-Jose Enders-Slegers, Elizabeth Ormerod, Paula Boyden, Understanding the Link Between Animal Cruelty and Human Violence, <https://pmc.ncbi.nlm.nih.gov/articles/PMC7246522/>, last accessed on 2/21/2025.
- <sup>31</sup> Dispatch Community Policies, *Animal Cruelty: A Serious Crime Leading to Horrific Outcomes*, April 2019, Vol. 12, Issue 3.
- <sup>32</sup> *Animal Maltreatment as a Risk Maker of More Frequent and Severe Forms of Intimate Partner Violence*, 26-1 Journal of Interpersonal Violence, 1 (2017).
- <sup>33</sup> Betty Jo Barrett, *BJ, et al.*, *Interpersonal Violence*, Dec 2020; *Favor & Strand*, *Interpersonal Violence* 2003.
- <sup>34</sup> Deviney, E. et al., *The care of pets within child abusing facilities*, 4 International Journal for the Study of Animal Problems 321-29 (1983).
- <sup>35</sup> Madfis, E. & Arluke A., *Animal Abuse as a Warning Sign of School Massacres*, Homicide Studies (Feb. 2014).
- <sup>36</sup> *Arluke & Luke*, 1997.
- <sup>37</sup> Minn. Stat. §343.235, Subd. 3 (2024).
- <sup>38</sup> The state collects data on a number of crimes and other issues. See e.g., Minnesota Crime Statistics, Bureau of Criminal Apprehension, <https://dps.mn.gov/divisions/bca/data-and-reports/mn-crime-statistics> (last visited 3/3/2025).