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States' Animal Cruelty Statutes:

Washington, D.C.



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D.C. Code § 22-1001 through 1006.01;
D.C. Code § 22-1007 through 1009; 1011 through 1012;
D.C. Code § 22-1012.03; 1013

Current through June 30, 2023.

D.C. Code § 22-1001. Definition and penalty

(a)

(1) Whoever knowingly overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly chains, cruelly beats or mutilates, any animal, or knowingly causes or procures any animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly chained, cruelly beaten, or mutilated, and whoever, having the charge or custody of any animal, either as owner or otherwise, knowingly inflicts unnecessary cruelty upon the same, or unnecessarily fails to provide the same with proper food, drink, air, light, space, veterinary care, shelter, or protection from the weather, shall for every such offense be punished by imprisonment in jail not exceeding 180 days, or by fine not exceeding \$250, or by both.

(2) The court may order a person convicted of cruelty to animals:

(A) To obtain psychological counseling, psychiatric or psychological evaluation, or to participate in an animal cruelty prevention or education program, and may impose the costs of the program or counseling on the person convicted;

(B) To forfeit any rights in the animal or animals subjected to cruelty;

(C) To repay the reasonable costs incurred prior to judgment by any agency caring for the animal or animals subjected to cruelty; and



(D) Not to own or possess an animal for a specified period of time.

(3) The court may order a child adjudicated delinquent for cruelty to animals to undergo psychiatric or psychological evaluation, or to participate in appropriate treatment programs or counseling, and may impose the costs of the program or counseling on the person adjudicated delinquent.

(b) For the purposes of this section, “cruelly chains” means attaching an animal to a stationary object or a pulley by means of a chain, rope, tether, leash, cable, or similar restraint under circumstances that may endanger its health, safety, or well-being. Cruelly chains includes, but is not limited to, the use of a chain, rope, tether, leash, cable or similar restraint that:

(1) Exceeds 1/8 the body weight of the animal;

(2) Causes the animal to choke;

(3) Is too short for the animal to move around or for the animal to urinate or defecate in a separate area from the area where it must eat, drink, or lie down;

(4) Is situated where it can become entangled;

(5) Does not permit the animal access to food, water, shade, dry ground, or shelter; or

(6) Does not permit the animal to escape harm.

(c) For the purposes of this section, “serious bodily injury” means bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, mutilation, or protracted loss or impairment of the function of a bodily member or organ. Serious bodily injury includes, but is not limited to, broken bones, burns, internal injuries, severe malnutrition, severe lacerations or abrasions, and injuries resulting from untreated medical conditions.

(d) Except where the animal is an undomesticated and dangerous animal such as rats, bats, and snakes, and there is a reasonable apprehension of an imminent attack by such animal on that person or another, whoever commits any of the acts or omissions set forth in subsection (a) of this



section with the intent to commit serious bodily injury or death to an animal, or whoever, under circumstances manifesting extreme indifference to animal life, commits any of the acts or omissions set forth in subsection (a) of this section which results in serious bodily injury or death to the animal, shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment not exceeding 5 years, or by a fine not exceeding \$25,000, or both.

D.C. Code § 22-1002. Other cruelties to animals.

Every owner, possessor, or person having the charge or custody of any animal, who cruelly drives or works the same when unfit for labor, or cruelly abandons the same, or who carries the same, or causes the same to be carried, in or upon any vehicle, or otherwise, in an unnecessarily cruel or inhuman manner, or knowingly and willfully authorizes or permits the same to be subjected to unnecessary torture, suffering, or cruelty of any kind, shall be punished for every such offense in the manner provided in § 22-1001.

D.C. Code § 22-1002.01. Reporting requirements.

(a)

(1) Any law enforcement or child or protective services employee who knows of or has reasonable cause to suspect an animal has been the victim of cruelty, abandonment, or neglect, or observes an animal at the home of a person reasonably suspected of child, adult, or animal abuse, shall provide a report within 2 business days to the Mayor. If the health and welfare of the animal is in immediate danger, the report shall be made within 6 hours.

(2) The report shall include:

(A) The name, title, and contact information of the individual making the report;

(B) The name and contact information, if known, of the owner or custodian of the animal;

(C) The location, along with a description, of where the animal was observed; and



(D) The basis for any suspicion of animal cruelty, abandonment, or neglect, including the date, time, and a description of the observation or incident which led the individual to make the report.

(b) When 2 or more law enforcement or child or protective services employees jointly suspect an animal has been the victim of cruelty, abandonment, or neglect, or jointly observe an animal at the home of a person reasonably suspected of child, adult, or animal abuse, a report may be made by one person by mutual agreement.

(c) No individual who in good faith reports a reasonable suspicion of abuse shall be liable in any civil or criminal action.

(d) Upon receipt of a report, any agency charged with the enforcement of animal cruelty laws shall make reasonable attempts to verify the welfare of the animal.

(e) For the purposes of this section, the terms “reasonable cause to suspect”, “suspect”, “reasonably suspected”, and “reasonable suspicion” mean a basis for reporting facts leading a person of ordinary care and prudence to believe and entertain a reasonable suspicion that criminal activity is occurring or has occurred.

D.C. Code § 22-1003. Rest, water and feeding for animals transported by railroad company.

No railroad company, in the carrying or transportation of animals, shall permit the same to be confined in cars for a longer period than 24 hours, without unloading the same, for rest, water, and feeding, for a period of at least 5 consecutive hours, unless prevented from so unloading by storm or other accidental causes. In estimating such confinement the time during which such animals have been confined without such rest on connecting roads from which they are received shall be included; it being the intent of this section to prohibit their continuous confinement beyond the period of 24 hours, except upon contingencies hereinbefore stated. Animals so unloaded shall be properly fed, watered, and sheltered during such rest by the owner or person having the custody thereof, or in case of his default in so doing, then by the railroad company transporting the same, at the expense of said owner or persons in custody thereof. And said company shall, in such case, have a lien upon such animals for food, care, and custody furnished, and shall not be liable for any detention of such animals authorized by this section. Any company, owner, or custodian of such



animals who fails to comply with the provisions of this section shall, for each and every such offense, be liable for and forfeit and pay a penalty of not less than \$1 nor more than \$500; provided, however, that when animals shall be carried in cars in which they can and do have proper food, water, space, and opportunity for rest, the foregoing provisions in regard to their being unloaded shall not apply.

D.C. Code § 22-1004. Arrests without warrant authorized; notice to owner.

(a) Any person found violating the laws in relation to cruelty to animals may be arrested and held without a warrant, in the manner provided by § 44-1505 and the person making an arrest, with or without a warrant, shall use reasonable diligence to give notice thereof to the owner of animals found in the charge or custody of the person arrested, and shall properly care and provide for such animals until the owner thereof shall take charge of the same.

(b)

(1) A humane officer of the Washington Humane Society may take possession of any animal to protect it from neglect or cruelty. The person taking possession of the animal or animals shall use reasonable diligence to give notice thereof to the owner of animals found in the charge or custody of the person arrested and shall properly care and provide for the animals until the owner shall take charge of the animals.

(2) If the owner or custodian of the animal or animals fails to respond after 20 days, the animal or animals shall become the property of the Washington Humane Society and the Washington Humane Society shall have the authority to:

(A) Place the animal or animals up for adoption in a suitable home;

(B) Retain the animal or animals, or

(C) Humanely destroy the animal or animals.

(c)

(1) The owner of an animal seized pursuant to subsection (a) or (b) of this section may request a hearing regarding the possession of the animal within the 20-day period provided by subsection (b)(2) of



this section. If the hearing officer finds, by a preponderance of the evidence, that the owner did abandon, neglect, or cruelly treat the animal, the animal shall become the property of the Washington Humane Society as provided by subsection (b)(2) of this section, except as provided in paragraph (3) of this subsection.

(2) If the hearing officer does not find that the owner abandoned, neglected, or cruelly treated the animal, the hearing officer shall order the return of the animal to the owner, except as provided in paragraph (3) of this subsection. The hearing officer may order the owner to reimburse the Washington Humane Society for the reasonable costs to care for, feed, and treat the animal during the period in which the animal was in the possession of the Washington Humane Society.

(3) During the pendency of a criminal investigation, prosecution, appeal, or other action arising from an act related to the seizure of the animal, the hearing officer shall order the animal to the possession of the Washington Humane Society and shall order the owner to post a bond sufficient to cover the reasonable costs to care for, feed, and treat the animal for 30 days. At the expiration of the initial bond, or subsequent bond, if the criminal investigation, prosecution, appeal, or other action remains pending, the owner shall post an additional bond sufficient to cover the reasonable costs to care for, feed, and treat the animal for an additional 30 days. If an owner fails to post a bond within 5 days after an order or obligation pursuant to this paragraph, the animal shall become the property of the Washington Humane Society as provided by subsection (b)(2) of this section.

(4) The Washington Humane Society may draw on any bond required to be posted pursuant to this section for the actual reasonable costs of providing care, feeding, and treatment of the seized animal. The reasonable costs incurred in excess of such bond shall be a lien on the animal and shall be discharged by the owner before the animal may be released to the owner.

(5)

(A) Upon the resolution of the criminal investigation, prosecution, appeal, or other action resulting in the animal being placed in the possession of the Washington Humane Society, and if there is no judicial ruling on the disposition of the animal, the



hearing officer shall conduct a hearing on the disposition of the animal.

(B) If the hearing officer finds, by a preponderance of the evidence, that the owner did abandon, neglect, or cruelly treat the animal, the animal shall become the property of the Washington Humane Society as provided by subsection (b)(2) of this section.

(C) If the hearing officer does not find that the owner abandoned, neglected, or cruelly treated the animal, the hearing officer shall order the return of the animal to the owner, provided that the animal is not subject to a lien as provided in paragraph (4) of this subsection.

(D) If the resolution of the criminal investigation, prosecution, appeal, or other action results in the forfeiture of the animal, the hearing officer need not conduct a hearing, and the animal shall become the property of the Washington Humane Society as provided by subsection (b)(2) of this section.

(6)

(A) The Mayor shall establish by rulemaking a notice and hearing process for the owner of the animal to contest the seizure, detention, and terms of release and treatment of the animal, the allegation of cruelty, abandonment, or neglect and the imposition of the lien and costs associated for caring and providing for the animal.

(B) Within 90 days after April 21, 2023, the proposed rules shall be submitted to the Council for a 45-day review period of review, excluding weekends, legal holidays, and days of Council recess. If the Council does not approve or disapprove of the proposed rules, by resolution, within the 45-day review period, the rules shall be deemed approved.

(d)

(1) An owner may seek judicial review before the Superior Court of the District of Columbia within 5 days after:



(A) Receipt of notice of a final decision issued by the President of the Washington Humane Society, or the President's designee under 24 DCMR § 1509.1; or

(B) Receipt of notice that the owner has failed to comply with the conditions of return pursuant to 24 DCMR § 1511 issued by the President of the Washington Humane Society, or the President's designee.

(2) This subsection shall apply to all cases pending before the court as of April 21, 2023.

D.C. Code § 22-1005. Issuance of search warrants.

When complaint is made by any humane officer of the Washington Humane Society on oath or affirmation, to any magistrate authorized to issue warrants in criminal cases, that the complainant believes, and has reasonable cause to believe, that the laws in relation to cruelty to animals have been or are being violated in any particular building or place, such magistrate, if satisfied that there is reasonable cause for such belief, shall issue a search warrant, authorizing any marshal, deputy marshal, police officer, or any humane officer of the Washington Humane Society to search such building or place.

D.C. Code § 22-1006. Prosecution of offenders; disposition of fines.

It shall be the duty of all marshals, deputy marshals, police officers, or any humane officer of the Washington Humane Society, to prosecute all violations of the provisions of §§ 22-1001 to 22-1009 and §§ 22-1011, 22-1013, and 22-1014, which shall come to their notice or knowledge, and fines and forfeitures collected upon or resulting from the complaint or information of any humane officer of the Washington Humane Society under §§ 22-1001 to 22-1009 and §§ 22-1011, 22-1013, and 22-1014 shall inure and be paid over to said association, in aid of the benevolent objects for which it was incorporated.

D.C. Code § 22-1006.01. Penalty for engaging in animal fighting.

(a) Any person who: (1) organizes, sponsors, conducts, stages, promotes, is employed at, collects an admission fee for, or bets or wagers any money or other valuable consideration on the outcome of an exhibition between two or more animals of fighting, baiting, or causing injury to each other; (2) any person who owns, trains, buys, sells, offers to buy or sell, steals,



transports, or possesses any animal with the intent that it engage in any such exhibition; (3) any person who knowingly allows any animal used for such fighting or baiting to be kept, boarded, housed, or trained on, or transported in, any property owned or controlled by him; (4) any person who owns, manages, or operates any facility and knowingly allows that facility to be kept or used for the purpose of fighting or baiting any animal; (5) any person who knowingly or recklessly permits any act described in this subsection, to be done on any premises under his or her ownership or control, or who aids or abets that act; or (6) any person who is knowingly present as a spectator at any such exhibition, is guilty of a felony, punishable by a fine of not more than the amount set forth in § 22-3571.01, imprisonment not to exceed 5 years, or both. The court may also impose any penalties listed in § 22-1001(a).

(b) Repealed.

(c) For the purposes of this section, the term:

(1) “Animal” means a vertebrate other than a human, including, but not limited to, dogs and cocks.

(2) “Baiting” means to attack with violence, to provoke, or to harass an animal with one or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with or among other animals.

(3) “Fighting” means an organized event wherein there is a display of combat between 2 or more animals in which the fighting, killing, maiming, or injuring of an animal is a significant feature, or main purpose, of the event.

D.C. Code § 22-1007. Impounded animals to be supplied with food and water.

Any person who shall impound, or cause to be impounded in any pound, any creature, shall supply the same, during such confinement, with a sufficient quantity of good and wholesome food and water; and in default thereof shall, upon conviction, be punished for every such offense in the same manner provided in § 22-1001.

D.C. Code § 22-1008. Relief of impounded animals.

In case any creature shall be at any time impounded as aforesaid, and shall continue to be without necessary food and water for more than 12 successive



hours, it shall be lawful for any officer of the Washington Humane Society, from time to time, and as often as it shall be necessary, to enter into and upon any pound in which such creature shall be so confined, and supply it with necessary food and water so long as it shall remain so confined; such person shall not be liable to any action for such entry, and the reasonable cost for such food and water may be collected of the owner of such creature, and the said creature shall not be exempt from levy and sale upon execution issued upon a judgment thereof.

D.C. Code § 22-1009. Keeping or using place for fighting or baiting of fowls or animals; arrest without warrant.

Any person or persons who shall keep or use, or in any way be connected with or interested in the management of, or shall receive money for the admission of any person to any place kept or used for the purpose of fighting or baiting of fowls or animals, may be arrested without a warrant, as provided in § 44-1505, and for every such offense be punished in the same manner provided in § 22-1001.

D.C. Code § 22-1011. Neglect of sick or disabled animals.

If any maimed, sick, infirm, or disabled animal shall fail to receive proper food or shelter from said owner or person in charge of the same for more than 5 consecutive hours, such person shall, for every such offense, be punished in the same manner provided in § 22-1001.

D.C. Code § 22-1012. Abandonment of maimed or diseased animal; destruction of diseased animals; disposition of animal or vehicle on arrest of driver; scientific experiments.

(a) A person being the owner or possessor or having charge or custody of a maimed, diseased, disabled, or infirm animal who abandons such animal, or leaves it to lie in the street or road, or public place, more than 3 hours after he or she receives notice that it is left disabled, is guilty of a misdemeanor punishable by a fine of not less than \$10 and not more than the amount set forth in § 22-3571.01, or by imprisonment in jail not more than 180 days, or both. Any agent or officer of the Washington Humane Society may lawfully destroy, or cause to be destroyed, any animal found abandoned and not properly cared for, appearing, in the judgment of 2 reputable citizens called by such officer to view the same in such officer's presence, to be glandered, injured, or diseased past recovery for any useful purpose. When any person arrested is, at the time of such arrest, in charge of any animal, or



of any vehicle drawn by any animal, or containing any animal, any agent of said society may take charge of such animal and such vehicle and its contents and deposit the same in a place of safe custody or deliver the same into the possession of the police authorities, who shall assume the custody thereof; and all necessary expenses incurred in taking charge of such property shall be a lien thereon.

(b) Nothing contained in §§ 22-1001 to 22-1009, inclusive, and §§ 22-1011 and 22-1309 shall be construed to prohibit or interfere with any properly conducted scientific experiments or investigations, which experiments shall be performed only under the authority of the faculty of some regularly incorporated medical college, university, or scientific society.

D.C. Code § 22-1012.03. Unlawful cat declawing

(a) Offense. A person commits unlawful cat declawing if that person knowingly performs, or causes to be performed, a partial or complete onychectomy, phalangectomy, or tendonectomy procedure (“declawing”), by any means, on a cat, except when necessary for a veterinary purpose.

(b) Penalties. A person convicted of unlawful cat declawing shall be fined no more than the amount set forth in § 22-3571.01, or incarcerated for no more than 90 days, or both.

(c) Definitions. For the purposes of this section, the term “veterinary purpose” means the practice of veterinary medicine, performed by a licensed veterinarian or a certified veterinary, intended to address the medical condition of the animal, such as an existing or recurring illness, infection, disease, injury, or abnormal condition in the claw that compromises the animal’s health. The term “veterinary purpose” does not include cosmetic or aesthetic reasons or reasons of convenience in keeping or handling the animal.

D.C. Code § 22-1013. Definitions.

In §§ 22-1001 to 22-1009, inclusive, and § 22-1011, the word "animals" or "animal" shall be held to include all living and sentient creatures (human beings excepted), and the words "owner," "persons," and "whoever" shall be held to include corporations and incorporated companies as well as individuals.

