



Colorado Federation of
Animal Welfare Agencies

HB07-1235 CRUELTY TO ANIMALS
Representative Debbie Stafford
Position: SUPPORT

Helping to make Colorado's communities and families safer.
Giving prosecutors the tools they need to more effectively address animal cruelty.

Safety from Animal Abusers

Given the documented link between animal abuse and domestic violence, it is important for Colorado to observe a no tolerance policy for intentional violence towards animals. The proposed changes act to close loopholes in the law that allow abusers to injure, kill, or sexually molest animals without significant consequences. The bill would also require animal abusers to submit to DNA testing in the same manner that domestic abusers and other violent individuals are tested. As a result, this change will help keep Colorado children and animals safe from a whole range of individuals who use physical and sexual violence to control innocent victims.

Safety from Domestic Violence

Abusive spouses and partners often use the threat of violence against children and animals in the home to prevent their victims from fleeing. The proposed changes clarify the fact that animals are "protected property" and can therefore be the subject of protective orders. As a result of these changes, domestic violence victims may be more likely to leave their abusers and seek help for themselves, their children, and their animals.

Safety from Unnecessary Suffering

Even if the all of the changes to the cruelty statute help to make Colorado a safer place for people and animals, some animals will still be injured by accident or at the hands of abusers. When animals like this have been severely injured and are experiencing extreme pain, the law sometimes requires a veterinarian to wait for a court order to humanely euthanize these animals. Where it is clear that animals in these situations are injured to the point that they will not recover, the proposed changes allow a licensed veterinarian to perform euthanasia without waiting days for a court order.

Safety from Dangerous Dogs

Dangerous dogs are a concern for everyone in the State of Colorado and it is vitally important that we keep our streets and our communities free from dogs that injure or kill. The proposed changes ensure that when dogs kill other animals they will be recognized as dangerous, and the dog's owners will be held accountable. The suggested language also helps to identify dogs with aggressive tendencies that cause property damage, well before they harm children or other animals.

HB07-1235 CRUELTY TO ANIMALS- Substantive Changes at Glance:

Proposed Change	Rationale for Change
Expands definition of “domestic animal” in Dangerous Dog Statute (C.R.S. 18-8-204.5)	Adds rabbits, ferrets, horses, burrows and other types of animals not currently considered “animals” under the dangerous dog provisions.
Establishes a class 1 petty offense for an owner whose dog damages/destroys others’ property	By holding owners accountable for this early indicator of future aggressive behavior in dogs, the proposed change could reduce bites and attacks on humans.
Expands “causes death of a domestic animal” to include the need for euthanasia	Currently, a loophole exists where a dangerous dog is not deemed to have killed an animal if it is injured so badly that euthanasia is necessary.
Clarifies the definition of “livestock” to ensure consistency throughout Title 18.	Adds equines, camelids, and other previously excluded species to the definition of “livestock” in order to conform definitions used throughout the title.
Clarifies the term “needlessly kills” throughout Title 18 by including injuries that require euthanasia of the animal.	Ensures that people and dogs that injure an animal to the point that humane euthanasia is necessary to end suffering will be held in violation of the cruelty statute.
Clarifies euthanasia of injured animals by making conforming changes (in 18-9-208, Forfeiture of animals, and 35-42-110, Injured animals may be destroyed) so that a licensed veterinarian may euthanize, without a court order, an injured animal experiencing extreme pain or suffering, or is injured, disabled, or diseased past recovery.	Allows a licensed veterinarian to humanely euthanize such an injured animal where the animal is in extreme pain or past the point of recovery.
Establishes genetic testing of convicted animal abusers by modifying 16-11-102.3, Genetic testing of convicted offenders, and 16-11-104, Genetic testing, to include persons convicted of aggravated cruelty to animals.	Adds convicted animal abusers to the list of offenders required to submit DNA samples, helping to illuminate the link between animal cruelty and other types of violent behavior.
Addresses sexual acts with an animals by modifying 18-9-201, Definitions, and 18-9-202, Cruelty to animals – aggravated cruelty to animals – neglect of animals – offenses, define “sexual act with an animal” and to classify such an act as animal cruelty.	Makes sexual acts with animals a crime, regardless of proof of physical injury to the animal.
Clarifies the definition of “property” as used in the context of protective orders to include animals by modifying criminal statutes.	The proposed change reinforces the option to include animals in protective order, without impacting the status of animals as property or expanding judicial authority.