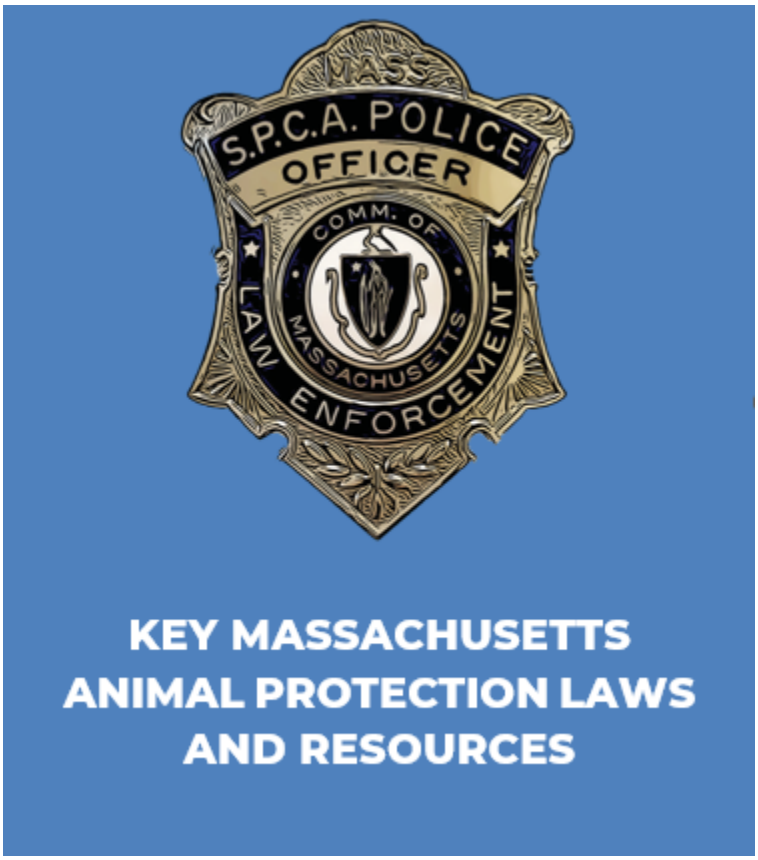



This publication is a guide for Massachusetts police and animal control officers who enforce laws relating to animals. The physical booklet (3' x 5') was published in 2019.

This online guide will be continually updated and will be published in the booklet format at the end of the legislative session in 2026.

For questions, comments, or copies of the 2019 printed version, please email lawenforcement@mspca.org.

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## Updates to 2019 Green Booklet

| Change | Chapter | Section | Explanation |
|---|---|---|---|
| Amended | 209A | 1 | Definition of “Abuse” incorporates “coercive control” that includes threatening, attempting, or committing abuse to an animal connected to the family or household member |
| New | 131 | 19C | Restricts the Use of Certain Animals in Traveling Wild Animal Acts |
| New | 140 | 174H | Prohibition and Regulation of Declawing Procedures for Cats |
| New | 140 | 141C | Prohibition on the Sale or Transfer of Dogs or Cats Under Eight Weeks of Age |
| New | 140 | 141D | Prohibition on the Sale or Transfer of Dogs or Cats in Certain Public Areas |
| New | 119 | 26D | Restriction on breed-based determinations by DCF in foster and adoptive homes |
| Amended | 119 | 85 | Department of Children & Families (DCF) improvements on reporting of animal cruelty, abuse or neglect |
| Amended | 19A | 42 | Dept. of Elder Affairs improvements on reporting of animal cruelty, abuse or neglect |
| Amended | 19C | 14 | Disabled Person Protection Commission improvements on reporting of animal cruelty, abuse or neglect |
| New | 140 | 174G | Ollie’s Law – Comprehensive Regulation of Commercial Boarding and Training Kennels |
| Amended | 140 | 136A | Animal control – definition updates/Ollie’s Law |
| Amended | 140 | 137A | Animal control – kennel licensing improvements/Ollie’s Law |
| Amended | 140 | 137C | Animal control – kennel regulation & enforcement/Ollie’s Law |
| Amended | 140 | 174D | Dog licensing after conviction or penalization for certain animal crimes |

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**STATUTES**

ABUSE PREVENTION: CHAPTER 209A

G. L. c. 209A, § 1. Definitions

Section 1. As used in this chapter the following words shall have the following meanings:

"Abuse'', the occurrence of any of the following acts between family or household members:

(a) attempting to cause or causing physical harm;

(b) placing another in fear of imminent serious physical harm;

(c) causing another to engage involuntarily in sexual relations by force, threat or duress;

(d) coercive control.

"Coercive control'', either:

(a) a pattern of behavior intended to threaten, intimidate, harass, isolate, control, coerce or compel compliance of a family or household member that causes that family or household member to reasonably fear physical harm or have a reduced sense of physical safety or autonomy, including, but not limited to:

(i) isolating the family or household member from friends, relatives or other sources of support;

(ii) depriving the family or household member of basic needs;

(iii) controlling, regulating or monitoring the family or household member's activities, communications, movements, finances, economic resources or access to services, including through technological means;

(iv) compelling a family or household member to abstain from or engage in a specific behavior or activity, including engaging in criminal activity;

(v) threatening to harm a child or relative of the family or household member;

(vi) threatening to commit cruelty or abuse to an animal connected to the family or household member;

(vii) intentionally damaging property belonging to the family or household member;

(viii) threatening to publish sensitive personal information relating to the family or household member, including sexually explicit images; or

(ix) using repeated court actions found by a court not to be warranted by existing law or good faith argument; or

(b) a single act intended to threaten, intimidate, harass, isolate, control, coerce or compel compliance of a family or household member that causes the family or household member to reasonably fear physical harm or have a reduced sense of physical safety or autonomy of: (i) harming or attempting to harm a child or relative of the family or household member; (ii) committing or attempting to commit abuse to an animal connected to the family or household member; or (iii) publishing or attempting to publish sexually explicit images of the family or household member.

"Court'', the superior, probate and family, district or Boston municipal court departments of the trial court, except when the petitioner is in a dating relationship when "Court'' shall mean district, probate, or Boston municipal courts.

"Family or household members'', persons who:

(a) are or were married to one another;

(b) are or were residing together in the same household;

(c) are or were related by blood or marriage;

(d) having a child in common regardless of whether they have ever married or lived together; or

(e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts consideration of the following factors:

(1) the length of time of the relationship;

(2) the type of relationship;

(3) the frequency of interaction between the parties; and

(4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.

"Law officer'', any officer authorized to serve criminal process.

"Protection order issued by another jurisdiction'', any injunction or other order issued by a court of another state, territory or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, or tribal court that is issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to another person, including temporary and final orders issued by civil and criminal courts filed by or on behalf of a person seeking protection.

"Vacate order'', court order to leave and remain away from a premises and surrendering forthwith any keys to said premises to the plaintiff. The defendant shall not damage any of the plaintiff's belongings or those of any other occupant and shall not shut off or cause to be shut off any utilities or mail delivery to the plaintiff. In the case where the premises designated in the vacate order is a residence, so long as the plaintiff is living at said residence, the defendant shall not interfere in any way with the plaintiff's right to possess such residence, except by order or judgment of a court of competent jurisdiction pursuant to appropriate civil eviction proceedings, a petition to partition real estate, or a proceeding to divide marital property. A vacate order may include in its scope a household, a multiple family dwelling and the plaintiff's workplace. When issuing an order to vacate the plaintiff's workplace, the presiding justice must consider whether the plaintiff and defendant work in the same location or for the same employer.

**G. L. c. 209A, § 11. Possession, care and control of domesticated animal owned by persons involved in certain protective orders; notice to law enforcement upon finding of imminent threat to household member or animal**

Section 11. (a) Whenever the court issues a temporary or permanent vacate, stay away, restraining or no contact order or a judgment under section 18, 34B or 34C of chapter 208, or under section 32 of chapter 209, or under section 3, 4 or 5 of this chapter, or under section 15 or 20 of chapter 209C, or under section 3 to 7, inclusive, of chapter 258E or a temporary restraining order or preliminary or permanent injunction relative to a domestic relations, child custody, domestic abuse or abuse prevention proceeding, the court may order the possession, care and control of any domesticated animal owned, possessed, leased, kept or held by either party or a minor child residing in the household to the plaintiff or petitioner. The court may order the defendant to refrain from abusing, threatening, taking, interfering with, transferring, encumbering, concealing, harming or otherwise disposing of such animal.

(b) A party to any proceeding listed in subsection (a) may petition the court for an order authorized by said subsection (a).

(c) Whenever the court issues a warrant for a violation of a temporary or permanent vacate, stay away, restraining or no contact order or a judgment issued under section 18, 34B or 34C of chapter 208, or under section 32 of chapter 209, or under section 3, 4 or 5 of this chapter, or under section 15 or 20 of chapter 209C, or section 3 to 7, inclusive, of chapter 258E or otherwise becomes aware that an outstanding warrant for such a violation has been issued against a person before the court, the judge may make a finding, based upon the totality of the circumstances, as to whether there exists an imminent threat of bodily injury to any party to such judgment or the petitioner of any such protective order, a member of the petitioner's family or household or to a domesticated animal belonging to the petitioner or to a member of the petitioner's family or household. If the court makes a finding that such an imminent threat of bodily injury to a person or domesticated animal exists, the court shall notify the appropriate law enforcement officials of such finding and the law enforcement officials shall take all necessary actions to execute any such outstanding warrant as soon as is practicable.

**G. L. c. 272, § 34. Crime against nature**
***see G. L. c. 272, § 77C for more detailed statute on this topic***

Whoever commits the abominable and detestable crime against nature, either with mankind or with a beast, shall be punished by imprisonment in the state prison for not more than twenty years.

**G. L. c. 272, § 77. Cruelty to animals; prohibition from work involving contact with animals**

Whoever overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates or kills an animal, or causes or procures an animal to be overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly beaten, mutilated or killed; and whoever uses in a cruel or inhuman manner in a race, game, or contest, or in training therefor, as lure or bait a live animal, except an animal if used as lure or bait in fishing; and whoever, having the charge or custody of an animal, either as owner or otherwise, inflicts unnecessary cruelty upon it, or unnecessarily fails to provide it with proper food, drink, shelter, sanitary environment, or protection from the weather, and whoever, as owner, possessor, or person having the charge or custody of an animal, cruelly drives or works it when unfit for labor, or willfully abandons it, or carries it or causes it to be carried in or upon a vehicle, or otherwise, in an unnecessarily cruel or inhuman manner or in a way and manner which might endanger the animal carried thereon, or knowingly and willfully authorizes or permits it to be subjected to unnecessary torture, suffering or cruelty of any kind shall be punished by imprisonment in the state prison for not more than 7 years in state prison or imprisonment in the house of correction for not more than 2½ years or by a fine of not more than $5,000 or by both fine and imprisonment; provided, however, that a second or subsequent offense shall be punished by imprisonment in the state prison for not more than 10 years or by a fine of not more than $10,000 or by both such fine and imprisonment. Notwithstanding section 26 of chapter 218 or any other general or special law to the contrary, the district courts and the divisions of the Boston municipal court department shall have original jurisdiction, concurrent with the superior court, of a violation of this section.

In addition to any other penalty provided by law, upon conviction for any violation of this section or of sections 77A, 77C, 78, 78A, 79A, 79B, 80A, 80B, 80C, 80D, 80E, 80E½, 80F, 86, 86A, 86B or 94 the defendant shall forfeit to the custody of any society, incorporated under the laws of the commonwealth for the prevention of cruelty to animals or for the care and protection of homeless or suffering animals, the animal whose treatment was the basis of such conviction.

A person convicted of a crime of cruelty to an animal shall be prohibited from working in any capacity that requires such person to be in contact with an animal, including a commercial boarding or training establishment, shelter, animal control facility, pet shop, grooming facility, commercial breeder service, veterinary hospital or clinic or animal welfare society or other nonprofit organization incorporated for the purpose of providing for and promoting the welfare, protection and humane treatment of animals.

**G. L. c. 272, § 77A. Willfully injuring police dogs and horses**

Whoever willfully tortures, torments, beats, kicks, strikes, mutilates, injures, disables or otherwise mistreats, a dog or horse owned by a police department or police agency of the commonwealth or any of its political subdivisions or whoever, willfully by any action whatsoever, interferes with the lawful performance of such dog or horse shall be punished by a fine of not less than one hundred dollars and not more than five hundred dollars or by imprisonment for not more than two and one-half years or both. Persons violating this section may be arrested without a warrant by any officer qualified to serve criminal process provided said offense is committed in his presence.

**G. L. c. 272, § 77B. Exhibition of wild animals**

No person shall exhibit or sponsor an exhibition of any wild animal for the purpose of attracting trade at or for any place of amusement, recreation or entertainment. This section shall not be

deemed to prevent the exhibition of any wild animal in a zoological garden or in connection with any theatrical exhibition or circus or by any educational institution or wild animal farm, whether on or off the premises of such educational institution or wild animal farm. Whoever violates the provisions of this section shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than thirty days.

**G. L. c. 272, § 77C. Sexual contact with animal**

(a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Animal", a living nonhuman mammal, bird, reptile, amphibian, fish or invertebrate.

"Sexual contact", (i) any act between a person and an animal that involves contact between the sex organs or anus of one and the mouth, anus or sex organs of the other; (ii) touching or fondling by a person of the sex organs or anus of an animal, either directly or through clothing, without a bona fide veterinary or animal husbandry purpose; (iii) any transfer or transmission of semen by the person upon any part of the animal; or (iv) the insertion, however slight, of any part of a person's body or any object into the vaginal or anal opening of an animal or the insertion of any part of the animal's body into the vaginal or anal opening of the person.

(b) A person who willingly: (i) engages in sexual contact with an animal or advertises, offers, accepts an offer for, sells, transfers, purchases or otherwise obtains an animal with the intent that the animal be used for sexual contact; (ii) organizes, promotes,conducts or knowingly participates in as an observer an act involving sexual contact with an animal; (iii) causes, aids or abets another person to engage in sexual contact with an animal; (iv) knowingly permits sexual contact with an animal to be conducted on any premises under the person's control; (v) induces or otherwise entices a child younger than 18 years of age or a person with a developmental or intellectual disability, as defined in section 1 of chapter 123B, to engage in sexual contact with an animal or engages in sexual contact with an animal in the presence of a child younger than 18 years of age or a person with a developmental or intellectual disability; (vi) forces another person to engage in sexual contact with an animal; or (vii) disseminates photographs, videotapes or other depictions prohibited sexual contact with an animal shall, for a first offense, be punished by imprisonment in the state prison for not more than 7 years or by imprisonment in a jail or house of correction for not more than 2½ years, by a fine of not more than $5,000 or by both such fine and imprisonment and, for a second or subsequent offense, by imprisonment in the state prison for not more than 10 years, by a fine of not more than $10,000 or by both such fine and imprisonment.

(c) Notwithstanding section 26 of chapter 218 or any other general or special law to the contrary, the district courts and the divisions of the Boston municipal court department shall have original jurisdiction, concurrent with the superior court, of a violation of this section.

(d) Upon a conviction for a violation of this section and in addition to any other penalties as may be provided by law, the defendant shall forfeit the animal whose treatment was the basis of the conviction to the custody of an entity incorporated under the laws of the commonwealth for the prevention of cruelty to animals or for the care and protection of homeless or suffering animals.

Upon a conviction for a violation of this section, the defendant shall not: (i) work in any capacity that requires the person to be in contact with an animal, including a commercial boarding or training establishment, shelter, animal control facility, pet shop, grooming facility, commercial breeder service, veterinary hospital or clinic or animal welfare society or other nonprofit organization incorporated for the purpose of providing for and promoting the welfare, protection and humane treatment of animals; or (ii) harbor, own, possess or exercise control over an animal, reside in a household where any animals are present or engage in an occupation, whether paid or unpaid, or participate in a volunteer position at any establishment where animals are present for any length of time that the court deems reasonable for the protection of all animals; provided, however, that the length of time shall not be less than 5 years after the person's release from custody.

This section shall not apply to lawful and accepted practices that relate to veterinary medicine performed by a licensed veterinarian or a certified veterinary technician under the guidance of a licensed veterinarian, artificial insemination of animals for the purpose of procreation, accepted animal husbandry practices, including raising, breeding or assisting with the birthing process of animals or any other practice that provides care for animals, or conformation judging.

**G. L. c. 272, § 78. Selling, leading, or using horses not fit for work; forfeiture of auctioneer's license**

No person holding an auctioneer's license shall receive or offer for sale or sell at public auction, nor shall any person sell at private sale, or lead, ride or drive on any public way, for any purpose except that of conveying the horse to a proper place for its humane keeping or killing, or for medical or surgical treatment, any horse which, by reason of debility, disease or lameness, or for other cause, could not be worked in the commonwealth without violating the laws against cruelty to animals. This section shall not prohibit the purchase of horses by humane societies incorporated under the laws of the commonwealth for the purpose of humanely killing the same. Violation of this section shall be punished by a fine of not less than five nor more than one hundred dollars or by imprisonment for not more than six months. If a licensed auctioneer violates this section, he shall also forfeit his license.

**G. L. c. 272, § 78A. Sale of foals under five months; penalty**

No person shall sell, offer for sale or otherwise dispose of any foal under five months of age other than for the purpose of immediate slaughter or humane killing unless such foal is accompanied by its dam. Violation of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

**G. L. c. 272, § 79. Violations by business entities of statutes relating to the treatment, care and protection of animals**

A for-profit corporation, nonprofit corporation, business, professional corporation, partnership, limited liability company, limited partnership, limited liability partnership or any other business entity violating section 112 of chapter 266 or section 77, 77A, 77B, 78, 78A, 79A, 80½, 80A, 80B, 80C, 80D, 80E,
80E½, 80F, 80G, 80H, 80I, 81, 85A, 85B, 87, 94 or 95 of this chapter shall be punished by a fine as therein provided, and shall be responsible for the knowledge and acts of its agents and servants relative to animals transported, owned or used by it or in its custody.

**G. L. c. 272, § 79A. Cutting bones or muscles to dock or set tail of horse; wound as evidence**

Whoever cuts the bone of the tail of a horse for the purpose of docking the tail, or whoever causes or knowingly permits the same to be done upon premises of which he is the owner, lessee, proprietor or user, or whoever assists in or is present at such cutting, shall be punished by imprisonment for not more than one year or by a fine of not less than one hundred nor more than three hundred dollars; and whoever cuts the muscles or tendons of the tail of a horse for the purpose of setting up the tail, or whoever causes or knowingly permits the same to be done upon premises of which he is the owner, lessee, proprietor or user, or whoever assists in or is present at such cutting, shall be punished by a fine of not more than two hundred and fifty dollars. If a horse is found with the bone of its tail cut as aforesaid or with the muscles or tendons of its tail cut as aforesaid, and with the wound resulting from such cutting unhealed, upon the premises or in the charge and custody of any person, such fact shall be prima facie evidence of a violation of this section by the owner or user of such premises or the person having such charge or custody, respectively.

**G. L. c. 272, § 79B: Exhibiting horse with tail cut under Sec. 79A; affidavit as to cutting in state where not prohibited; inspection**

Whoever shows or exhibits at any horse show or exhibition in the commonwealth a horse with its

tail cut in either manner prohibited in section seventy- nine A shall be punished by a fine of not more than two hundred and fifty dollars; provided, that this section shall not apply to the showing or exhibiting at such a show or exhibition of a horse with its tail cut in either manner prohibited by section seventy-nine A, if the owner of such horse furnishes to the manager or other official having charge of the horse show or exhibition at which such horse is shown or exhibited an affidavit by the owner, in a form approved by the director of the division of animal health of the department of food and agriculture, that the tail of such horse was so cut in a state wherein such cutting was not then specifically prohibited by the laws thereof and while the horse was actually owned by a legal resident of such state. Said affidavit shall state the year of such cutting, the name of the state wherein the cutting was done, and the sex and age of the horse, shall describe the markings of the horse, if any, and shall be subject to inspection by any officer or agent mentioned in section eighty-four.

**G. L. c. 272, § 80½. Devocalization of dogs or cats; definitions; penalty; exceptions; records**

(a) For the purposes of this section, the following words shall have the following meanings:—

"Board", the board of registration in veterinary medicine.

"Devocalization", a procedure on the larynx or vocal cords of an animal which causes the reduction or elimination of vocal sounds produced by that animal.

(b) Whoever performs, or causes to be performed, the surgical devocalization of a dog or cat shall be punished by imprisonment in the state prison for not more than 5 years or imprisonment in a house of correction for not more than 2½ years, or by a fine of not more than $2,500 or by both such fine and imprisonment. In addition to this penalty, the court may order that any person who violates this section shall successfully complete a course of instruction relative to the humane treatment of animals or be barred from owning or keeping a dog or cat or sharing a residence with another who owns or keeps a dog or cat for a period of time as determined by said court.

(c) Subsection (b) shall not apply if:
(1) the person performing such devocalization is licensed under section 55 of chapter 112; and
(2) surgical devocalization of a dog or cat is medically necessary to treat or relieve an illness, disease or injury or to correct a congenital abnormality that is causing or may cause the animal physical pain or harm; or
(3) the person who causes a devocalization procedure to be performed is relying upon the opinion of a person licensed under section 55 of chapter 112 that surgical devocalization of the dog or cat is medically necessary to treat or relieve an illness, disease or injury or to correct a congenital abnormality that is causing or may cause the animal physical pain or harm.

(d) A veterinarian who performs a surgical devocalization procedure on a dog or cat shall keep a record of the procedure for a period of 4 years after the last contact with the animal. This record shall include: the name and address of the animal's owner; the name and address of the person from whom payment is received for the procedure; a description of the animal, including its name, species, breed, date of birth, sex, color, markings and current weight; the license number and municipality that issued the license for the animal; the date and time the procedure; the reason the procedure was performed; and any diagnostic opinion, analysis or test results to support the diagnosis. These records shall be subject to audit by the board.

Any person who performs a devocalization procedure on a dog or cat shall report the number of all such procedures to the board annually on or before March 30. The board shall maintain all notices received under this subsection for 4 years from the date of receipt.

Records maintained under this subsection shall not be considered a public record, as defined in clause twenty-sixth of section 7 of chapter 4 or section 10 of chapter 66, and these records shall not be publicly disseminated.

(e) The board shall, annually on or before March 1, report to the joint committee on the environment, natural resources and agriculture the number of animals that were the subject of devocalization notices received under subsection (d).

(f) Whoever being licensed under section 55 of chapter 112 violates any provision of this section shall be subject to the suspension or revocation of such license under section 59 of said chapter 112 and 256 CMR 7.00.

**G. L. c. 272, § 80A. Cropping or cutting off ear of dog; wound as prima facie evidence**

Whoever, not being a veterinarian duly registered under chapter one hundred and twelve, crops or cuts off the whole or any part of the ear of a dog shall be punished by a fine of not more than two hundred and fifty dollars. If a dog with an ear cropped or cut off in whole or in part and with the wound resulting therefrom unhealed is found confined upon the premises or in the charge or custody of any person other than such veterinarian, or a dog officer of a city or town duly appointed under section one hundred and fifty-one of chapter one hundred and forty, such fact shall be prima facie evidence of a violation of this section by the person in control of such premises or the person having such charge or custody.

**G. L. c. 272, § 80B. Exhibiting dogs with ears cropped or cut off**

Whoever shows or exhibits or procures to be shown or exhibited at any dog show or exhibition in the commonwealth a dog with an ear or ears cropped or cut off, except when and as certified to be reasonably necessary by a veterinarian duly registered under the laws of the state of his residence, shall be punished by a fine of not more than two hundred and fifty dollars.

**G. L. c. 272, § 80C. Taking cat, dog or bird to exhibit it, subject it to experimentation or mutilation, or to sell it for such purposes; application of law**

Whoever, without the consent of the owner, takes a cat, dog or bird, with intent to exhibit or cause it to be exhibited or to subject it or cause it to be subjected to experimentation or mutilation while alive, or with intent to sell it or cause it to be sold for the purpose of being exhibited or subjected to experimentation or mutilation as aforesaid, shall be punished by a fine of not less than one hundred dollars nor more than the maximum fine permitted by law for the larceny of an article of the same value as such cat, dog or bird. This section shall not apply to an institution acquiring a cat, dog or bird under the provisions of chapter forty-nine A.

**G. L. c. 272, § 80D. Living rabbits, baby chickens, ducklings or other fowl; sale, barter or gift**

No person shall sell, offer for sale, barter or give away as premiums living baby chickens, ducklings or other fowl under two months of age.

No person shall sell, offer for sale, barter, display or give away living rabbits, chickens, ducklings or other fowl which have been dyed, colored or otherwise treated so as to impart to them an artificial color.

Nothing in this section shall be construed to prohibit the sale or display of baby chickens, ducklings or other fowl under two months of age by breeders or stores engaged in the business of selling for purposes of commercial breeding and raising; provided, however, that prior to May first in any year, such ducklings may be sold or purchased only in quantities of twenty-four or more.

This section shall not prohibit, however, the sale or donation of such chickens, ducklings or fowl to schools for use in classroom instruction.

Whoever violates the provisions of this section shall be punished by a fine of not more than one hundred dollars.

**G. L. c. 272, § 80E. Putting animal to death by use of decompression chamber**

Whoever puts any animal to death by the use of a decompression chamber shall be punished by a fine of not less than one hundred dollars.

**G. L. c. 272, § 80E½. Putting animal to death by drowning**

Whoever puts an animal to death by drowning shall be punished by imprisonment in the state prison for not more than 7 years in state prison or imprisonment in a jail or house of correction for not more than 2½ years, by a fine of not more than $5,000 or by both such fine and imprisonment for a first offense and punished by imprisonment in the state prison for not more than 10 years, by a fine of not more than $10,000 or by both such fine and imprisonment for a second or any subsequent offense.

**G. L. c. 272, § 80F. Giving away live animals as prize or award**

No person shall offer or give away any live animal as a prize or an award in a game, contest or tournament involving skill or chance. The provisions of this section shall not apply to awards made to persons participating in programs relating to animal husbandry.

Whoever violates the provisions of this section shall be punished by a fine of not more than one hundred dollars.

**G. L. c. 272, § 80G. Experiments on vertebrates; vivisection, dissection of animals; care**

No school principal, administrator or teacher shall allow any live vertebrate to be used in any elementary or high school under state control or supported wholly or partly by public money of the state as part of a scientific experiment or for any other purpose in which said vertebrates are experimentally medicated or drugged in a manner to cause painful reactions or to induce painful or lethal pathological conditions, or in which said vertebrates are injured through any other type of treatment, experiment or procedure including but not limited to anesthetization or electric shock, or where the normal health of said animal is interfered with or where pain or distress is caused.

No person shall, in the presence of a pupil in any elementary or high school under state control or supported wholly or partly by public money of the state, practice vivisection, or exhibit a vivisected animal. Dissection of dead animals or any portions thereof in such schools shall be confined to the class room and to the presence of pupils engaged in the study to be promoted thereby, and shall in no case be for the purpose of exhibition.

Live animals used as class pets or for purposes not prohibited in paragraphs one and two hereof in such schools shall be housed or cared for in a safe and humane manner. Said animals shall not remain in school over periods when such schools are not in session, unless adequate care is provided at all times.

The provisions of the preceding three paragraphs shall also apply to any activity associated with or sponsored by the school.

Whoever violates the provisions of this section shall be punished by a fine of not more than one hundred dollars.

**G. L. c. 272, § 80H. Motor vehicles; striking, injuring or killing dogs or cats**

The operator of a motor vehicle that strikes and injures or kills a dog or cat shall forthwith report such an accident to the owner or custodian of said dog or cat or to a police officer in the town wherein such accident has occurred. A violation of this section shall be punished by a fine of not more than $100 for a first offense or not more 10 days in a house of corrections and a fine of $500 and the cost of medical expenses, not to exceed $2,500, imprisonment in a house of correction for not more than 6 months or both such fine and cost and imprisonment for a second and

subsequent offense. Nothing in this section shall preclude a civil cause of action including, but not limited to medical expenses, by the aggrieved party.

**G. L. c. 272, § 80I. Leasing or renting dogs; penalties**

(a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:—

"Assistance and service dog", a canine specifically trained to help persons with disabilities or a canine trained to help a person with a disability in life; provided, however, that "assistance and service dog" shall also include a canine trained for search and rescue and a medical response dog.

"Canine foster care", an organization that places canines in a temporary home while awaiting pet adoption.

"Earth dog", a canine breed used as a hunting dog to track game above and below ground.

"Farm dog", a canine that works on a farm to assist humans or other animals.

"Pet adoption", the permanent ownership of and responsibility for a pet that a previous owner has abandoned or otherwise abdicated its responsibility.

"Renting and leasing", the practice of renting a dog for a fee or a cost which will knowingly result in a temporary possession of the animal by another party.

"Therapy dog", a canine that is used under the ownership and care of its handler that visits people for educational, medical or mental purposes.

(b) No person shall engage in the business of leasing or renting a dog. A dog held for such leasing or renting may be seized or impounded by an organization or agent thereof that is authorized to seize or impound animals under the General Laws. A violation of this section shall be punished by a fine of not less than $100 for the first violation, not less than $500 for the second violation and $1000 for subsequent violations. Fines may be levied on both the business that is leasing a dog and the person that has entered into a rental agreement. Nothing in this section shall prohibit service animal businesses or organizations, pet adoption and foster care services, and working animals for the following purposes including, but not limited to: service animal businesses or organizations, pet adoption and foster care services, farming and agriculture, working dog activities, dogs working in entertainment and shows which are authorized to do so under the General Laws, dogs participating in performance sports or activities including, but not limited to, sporting, hunting, earth dog and racing dog activities and people engaged in breeding, training and showing dog, and dogs used for medical or scientific purposes so long as such use is lawful. This section shall not prohibit a pet store, kennel, pet adoption service or other entity authorized to sell pets under the General Laws for a fee or a cost from taking back a pet that it may have sold if the owner is unable to keep or handle that pet.

**G. L. c. 272, § 82. Arrest without warrant for violation of Sec. 77 or 81; notice; care of animals; lien**

A person found violating any provision of section seventy-seven or eighty-one may be arrested and held without a warrant as provided in section fifty-four; 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, shall properly care and provide for such animals until the owner thereof takes charge of them, not, however, exceeding sixty days from the date of said notice, and shall have a lien on said animals for the expense of such care and provision.

**G. L. c. 272, § 83. Complaint, warrant and search relative to cruelty to animals**

If complaint is made to a court or magistrate authorized to issue warrants in criminal cases that the complainant has reasonable cause to believe that the laws relative to cruelty to animals have

been or are violated in any particular building or place, such court or magistrate, if satisfied that there is reasonable cause for such belief, shall issue a search warrant authorizing any sheriff, deputy sheriff, constable or police officer to search such building or place; but no such search shall be made after sunset, unless specially authorized by the magistrate upon satisfactory cause shown.

**G. L. c. 272, § 84. Prosecutions under Secs. 77 to 81**

Sheriffs, deputy sheriffs, constables and police officers shall prosecute all violations of sections seventy-seven to eighty-one, inclusive, which come to their notice.

**G. L. c. 272, § 85A. Injuring, taking away or harboring domesticated animals or birds; removal of dog license tag, collar or harness; imitation tag**

Whoever with wrongful intent kills, maims, entices or carries away a dog or other domesticated animal or bird shall be liable in tort to its owner for three times its value. Any person who removes from the dog of another its license tag, collar or harness, or who, without the authorization of the owner or keeper, holds or harbors a dog or other domesticated animal of another, or who holds or harbors a lost or strayed dog or other domesticated animal for more than forty-eight hours after such animal comes into his possession without reporting or taking it to the police station or dog officer nearest to the place where it was found and informing the police officer or dog officer in charge where such dog or other animal was found, the name, color, age, size and pedigree, as fully as possible, of such animal and the person's own name and address, or who shall cause a dog to wear an imitation or counterfeit of the official tag prescribed by section one hundred and thirty-seven, one hundred and thirty-seven A or one hundred and thirty-seven B of chapter one hundred and forty, shall be punished by a fine of not more than one hundred dollars.

**G. L. c. 272, § 88. Complaints and warrants relative to fighting animals; searches; arrests**

If complaint is made to a court or magistrate authorized to issue warrants in criminal cases that the complainant has reasonable cause to believe that preparations are being made for an exhibition of the fighting of birds, dogs or other animals, or that such exhibition is in progress, or that birds, dogs or other animals are kept, owned, possessed, trained, bred, loaned, sold, exported or otherwise transferred, in violation of section 94 at any place or in any building or tenement, such court or magistrate, if satisfied that there is reasonable cause for such belief, shall issue a search warrant authorizing any sheriff, deputy sheriff, constable or police officer, or special police officer duly appointed by the colonel of the state police at the request of the Massachusetts Society for the Prevention of Cruelty to Animals or at the request of the Animal Rescue League of Boston, to search such place, building or tenement at any hour of the day or night and take possession of all such animals and all paraphernalia, implements, equipment or other property used or employed, or intended to be used or employed, in violation of section 94 there found, and arrest all persons there present**.**

**G. L. c. 272, § 89. Exhibition place of fighting animals; entry without warrant; arrests; seizure of animals**

Any officer authorized to serve criminal process, or any special police officer duly appointed by the colonel of the state police at the request of the Massachusetts Society for the Prevention of Cruelty to Animals, or any municipal officer involved with animal control may, without a warrant, enter any place or building in which there is an exhibition of any fighting birds, dogs or other animals, preparations are being made for such an exhibition, or birds, dogs or other animals are owned, possessed, kept, trained, bred, loaned, sold, exported or otherwise transferred in violation of section 94. Any such officer may arrest all persons there present and take possession of and remove from the place of seizure such animals there found in violation of said section 94, and hold the same in custody subject to the order of court as hereinafter provided.

**G. L. c. 272, § 91. Forfeiture of animal or property used or employed in violation of Sec. 94; application; notice; hearing; adjudication; assessment of forfeited animal for suitability for adoption; transfer or other disposition of animal**

After seizure and removal of animals or property used or employed, or intended to be used or employed, in violation of section 94, application shall be made to a court having jurisdiction over the offense for a decree of forfeiture of the animals or property. If after a hearing on the application, notice thereof having been previously given as the court orders, it shall be found that the animals, at the time of seizure, were engaged in or were intended to be engaged in fighting at an exhibition thereof or the animals were owned, possessed, kept, trained, bred, loaned, sold, exported or otherwise transferred in violation of section 94, such animals shall be adjudged forfeited. A forfeited animal shall be individually assessed by the organization to which it is forfeited to determine the animal's suitability for adoption or the organization shall transfer it to another organization or for another disposition. Any person shall be allowed to appear as claimant in the proceeding upon the application for a decree of forfeiture.

**G. L. c. 272, § 94. Owning, possessing or training fighting animals; establishing or promoting exhibition; loaning, selling or exporting fighting animals; owning or possessing animals for breeding fighting animals**

Whoever: (i) owns, possesses, keeps or trains any bird, dog or other animal, with the intent that it shall be engaged in an exhibition of fighting; (ii) establishes or promotes an exhibition of the fighting of any birds, dogs or other animals; (iii) loans, sells, exports or otherwise transfers any bird, dog or other animal for the purpose of animal fighting; or (iv) owns, possesses or keeps any bird, dog or other animal for the purpose of breeding such animal with the intent that its offspring be used for animal fighting shall be punished by imprisonment in the state prison for not more than 5 years or in the house of correction for not more than 1 year, or by a fine of not more than $1,000 or by both such fine and imprisonment.

**G. L. c. 272, § 95. Aiding or being present at exhibition of fighting animals**

Whoever is present at any place, building or tenement where preparations are being made for an exhibition of the fighting of birds, dogs or other animals, with intent to be present at such exhibition, or is present at, aids in or contributes to such exhibition, shall be punished by a fine of not more than $1,000 or by imprisonment in the state prison for not more than 5 years or imprisonment in the house of correction for not more than 2½ years or by both such fine and imprisonment.

**G. L. c. 272, § 98A. Physically handicapped persons with dog guides; public places or conveyances; charges or fares; penalties**

Notwithstanding any other provision of law, any blind person, or deaf or hearing handicapped person, or other physically handicapped person accompanied by a dog guide, shall be entitled to any and all accommodations, advantages, facilities and privileges of all public conveyances, public amusements and places of public accommodation, within the commonwealth, to which persons not accompanied by dogs are entitled, subject only to the conditions and limitations applicable to all persons not accompanied by dogs, and no such blind person, or deaf or hearing handicapped, or other physically handicapped person shall be required to pay any charge or fare for or on account of the transportation on any public conveyance for himself and such dog so accompanying him in addition to the charge or fare lawfully chargeable for his own transportation. Whoever deprives any blind person, or deaf or hearing handicapped person, or other physically handicapped person of any right conferred by this section shall be punished by a fine of not more than three hundred dollars and shall be liable to any person aggrieved thereby for such damages as are set forth in section five of chapter one hundred and fifty-one B; provided, however, that such civic forfeiture shall be of an amount not less than one hundred dollars.

**G. L. c. 272, § 104. Security for seizure and impoundment of animals relating to cruelty to animals or animal fighting**

(a) As used in this section, the word "authority" shall mean an organization or the authorized agent of an organization that seizes or impounds an animal pursuant to the General Laws.

(b) If an animal is seized or impounded pursuant to section 112 of chapter 266 or section 77, 77C or 94 of chapter 272 resulting in the issuance of a criminal complaint or a criminal indictment, the authority or prosecuting agency, including the district attorney or attorney general, may file a petition with the court requesting that the person from whom the animal was seized or a person claiming an interest in the seized animal be ordered to post a security. The authority or prosecuting agency shall serve a copy of the petition on the person from whom the animal was seized or who is claiming an interest in the seized animal; provided, however, that if such a person cannot be found, service may be made by posting a copy of the petition at the place from which the animal was seized. If the petition is filed by the authority, the authority shall also serve a copy of the petition on the prosecuting agency.

(c) The security shall be in an amount sufficient to secure payment for the reasonable expenses incurred by the authority that has custody of the seized or impounded animal and the reasonable expenses anticipated by the authority. In determining the amount of the security, expenses shall be calculated from the date of seizure or impoundment and continue until the authority ends custody of the animal; provided, however, that the amount shall be determined for a period of not less than 30 days. The amount of the security shall be determined by the court upon the recommendation of the authority. Reasonable expenses shall include, but shall not be limited to, estimated medical care, quarantine costs, shelter and board.

(d) When a security is posted in accordance with this section, the authority may draw from the security the actual, reasonable costs incurred for medical care, quarantine costs, shelter, board and any other expenses ordered by the court. If the expenses already incurred by the seizing authority at the time of judicial decision on the petition exceed the petitioned for security amount, the court may order the security to be paid in its entirety to the authority through the court or directly from the respondent to the authority, as the court deems appropriate in the interest of justice.

(e) If the court orders the posting of a security, the security shall be posted with the clerk within 10 business days of the court's allowance of the petition. The defendant's failure to post the security within the appointed time shall be deemed an immediate forfeiture of the seized animal to the authority. The court may waive the security requirement or reduce the amount of the security for good cause. The court may extend the time for posting the security with the clerk; provided, however, that the time between the court's allowance of the petition and the posting shall be not more than 20 business days.

(f) The posting of the security shall not prevent the authority from euthanizing the seized or impounded animal for humane reasons before the expiration of the period covered by the security; provided, however, that the euthanasia shall be done in a humane manner.

(g) The authority may humanely transfer or euthanize the animal at the end of the period for which expenses are covered by the security if a transfer or euthanasia is ordered by the court. If the transfer or euthanasia order is denied, the court may require the animal's owner or custodian or any other person claiming interest in the animal to provide an additional security to secure payment of reasonable expenses and to extend the period of time pending adjudication by the court of the charges against the person from whom the animal was seized.

(h) The owner or custodian of an animal, or a person claiming interest in such an animal pursuant to this section, that is humanely transferred or euthanized shall not be entitled to recover damages or the actual value of the animal if the owner, custodian or other person failed to post the required security.

(i) The court may direct a refund to the person who posted the security, in whole or part, for expenses not incurred by the authority. The court may direct a refund to the person who posted security upon acquittal of the charges.

**G. L. c. 266, § 30. Larceny; general provisions and penalties**

(1) Whoever steals, or with intent to defraud obtains by a false pretence, or whoever unlawfully, and with intent to steal or embezzle, converts, or secretes with intent to convert, the property of another as defined in this section, whether such property is or is not in his possession at the time of such conversion or secreting, shall be guilty of larceny, and shall, if the property stolen is a firearm, as defined in section one hundred and twenty-one of chapter one hundred and forty, or, if the value of the property stolen exceeds $1,200, be punished by imprisonment in the state prison for not more than five years, or by a fine of not more than twenty-five thousand dollars and imprisonment in jail for not more than two years; or, if the value of the property stolen, other than a firearm as so defined, does not exceed $1,200, shall be punished by imprisonment in jail for not more than one year or by a fine of not more than $1,500.

(2) The term "property", as used in the section, shall include money, personal chattels, a bank note, bond, promissory note, bill of exchange or other bill, order or certificate, a book of accounts for or concerning money or goods due or to become due or to be delivered, a deed or writing containing a conveyance of land, any valuable contract in force, a receipt, release or defeasance, a writ, process, certificate of title or duplicate certificate issued under chapter one hundred and eighty-five, a public record, anything which is of the realty or is annexed thereto, a security deposit received pursuant to section fifteen B of chapter one hundred and eighty-six, electronically processed or stored data, either tangible or intangible, data while in transit, telecommunications services, and any domesticated animal, including dogs, or a beast or bird which is ordinarily kept in confinement.

(3) The stealing of real property may be a larceny from one or more tenants, sole, joint or in common, in fee, for life or years, at will or sufferance, mortgagors or mortgagees, in possession of the same, or who may have an action of tort against the offender for trespass upon the property, but not from one having only the use or custody thereof. The larceny may be from a wife in possession, if she is authorized by law to hold such property as if sole, otherwise her occupation may be the possession of the husband. If such property which was of a person deceased is stolen, it may be a larceny from any one or more heirs, devisees, reversioners, remaindermen or others, who have a right upon such deceased to take possession, but not having entered, as it would be after entry. The larceny may be from a person whose name is unknown, if it would be such if the property stolen were personal, and may be committed by those who have only the use or custody of the property, but not by a person against whom no action of tort could be maintained for acts like those constituting the larceny.

(4) Whoever steals, or with intent to defraud obtains by a false pretense, or whoever unlawfully, and with intent to steal or embezzle, converts, secretes, unlawfully takes, carries away, conceals or copies with intent to convert any trade secret of another, regardless of value, whether such trade secret is or is not in his possession at the time of such conversion or secreting, shall be guilty of larceny, and shall be punished by imprisonment in the state prison for not more than five years, or by a fine of not more than twenty-five thousand dollars and imprisonment in jail for not more than two years. The term "trade secret" as used in this paragraph means and includes anything tangible or intangible or electronically kept or stored, which constitutes, represents, evidences or records a secret scientific, technical, merchandising, production or management information, design, process, procedure, formula, invention or improvement.

(5) Whoever steals or with intent to defraud obtains by a false pretense, or whoever unlawfully, and with intent to steal or embezzle, converts, or secretes with intent to convert, the property of another, sixty years of age or older, or of a person with a disability as defined in section thirteen K of chapter two hundred and sixty-five, whether such property is or is not in his possession at the time of such conversion or secreting, shall be guilty of larceny, and shall, if the value of the property exceeds two hundred and fifty dollars, be punished by imprisonment in the state prison for not more than ten years or in the house of correction for not more than two and one-half

years, or by a fine of not more than fifty thousand dollars or by both such fine and imprisonment; or if the value of the property does not exceed two hundred and fifty dollars, shall be punished by imprisonment in the house of correction for not more than two and one-half years or by a fine of not more than one thousand dollars or by both such fine and imprisonment. The court may order, regardless of the value of the property, restitution to be paid to the victim commensurate with the value of the property.

(6) A law enforcement officer may arrest a person without a warrant that the officer has probable cause to believe has committed an offense under this section and the value of the property stolen is more than $250.

**G. L. c. 266, § 47. Dogs; wrongful removal of collar; penalty**

Whoever wrongfully removes the collar from a dog which is licensed and collared as provided in chapter one hundred and forty shall be punished by a fine of not more than one hundred dollars, or by six months' imprisonment, or both.

**G. L. c. 266, § 112. Domestic animals; malicious killing or injury**

Whoever wilfully and maliciously kills, maims or disfigures any horse, cattle or other animal of another person, or wilfully and maliciously administers or exposes poison with intent that it shall be taken or swallowed by any such animal, shall be punished by imprisonment in the state prison for not more than 7 years in state prison or imprisonment in the house of correction for not more than 2½ years or by a fine of not less than $5,000 or by both fine and imprisonment; provided, however, that a second or subsequent offense shall be punished by imprisonment in the state prison for not more than 10 years or by a fine of not more than $10,000 or by both such fine and imprisonment.

**G. L. c. 270, § 3A. Poison for rodents; placement where it may cause injury**

Whoever negligently or maliciously places any poison or poisoned food for the control of rats, mice or other rodents in any place where it may cause injury to any human being or domestic animal shall be punished by a fine of twenty-five dollars. The officers charged with the enforcement of the laws relating to fish, birds and mammals under chapter one hundred and thirty- one shall take cognizance of violations of this section and enforce the provisions thereof, and they shall have all powers necessary therefor.

**G. L. c. 19A, § 42. Report of animal cruelty, abuse or neglect**

(a) An employee of the department, its designated agency or a person employed pursuant to a contract with the department or its designated agency or any person employed pursuant to a contract with the department or its designated agency, when acting in his or her professional capacity or within the scope of his or her employment, who has knowledge of or observes an animal whom they know or reasonably suspects has been the victim of animal cruelty, abuse or neglect, may report the known or suspected animal cruelty, abuse or neglect to the entities that investigate reports of animal cruelty, abuse or neglect, as described in section 57 of chapter 22C, or any local animal control authority.

(b) The report may be made within 2 working days of receiving the information concerning the animal, by facsimile transmission or a written report or by telephone. In cases where an immediate response may be necessary in order to protect the health and safety of the animal, the report should be made by telephone as soon as possible.

(c) When 2 or more employees of the department or its designated agency, or persons employed pursuant to a contract with the department or its designated agency, are present and jointly have knowledge of known or reasonably suspected animal cruelty, abuse or neglect, and where there is agreement among them, a report may be made by 1 person by mutual agreement. A reporter who has knowledge that the person designated to report has failed to do so may thereafter make the report.

(d) No person making such report shall be liable in any civil or criminal action by reason of such report if the report was made in good faith. Any privilege established by sections 135A and 135B of chapter 112 or by section 20B of chapter 233, relating to confidential communications shall not prohibit the filing of a report pursuant to this section.

(e) Nothing in this section shall impose a duty on the department or its designated agency to investigate known or reasonably suspected animal cruelty, abuse or neglect.

(f) Nothing in this section shall prevent the department, area office or subdivision or its designated agency from entering into an agreement, contract or memorandum of understanding with the entities that investigate reports of animal cruelty, abuse or neglect as described in section 57 22c of chapter 22C to require such reports or to engage in training in identification and reporting of animal abuse, cruelty and neglect.

**G. L. c. 22C, § 57. Agents of humane societies and associations; appointment as special officers**

The colonel may appoint, at the request of the Massachusetts Society for the Prevention of Cruelty to Animals, the Berkshire Animal Protective Society, Inc., the Animal Rescue League of Boston, the Boston Work Horse Relief Association, the Lowell Humane Society, the Worcester Animal Rescue League or the Animal Rescue League of New Bedford, duly accredited agents of said corporations as special state police officers to serve for one year subject to removal by the colonel. Such special state police officers shall report to him relative to their official acts as such police officers at such times and in such manner as the colonel may require. They shall serve without pay, except their regular compensation as agents of said corporation. They shall receive no fees for services or return of any criminal process and shall have throughout the commonwealth the powers of constables and police officers to arrest and detain any person violating any law for the prevention of cruelty to animals.

**G. L. c. 19C, § 14. Animal cruelty, abuse or neglect; investigation, report**

(a) Any investigator designated by the commission, the general counsel, or a department within the executive office of health and human services, when acting in his or her professional capacity or within the scope of his or her employment, who has knowledge of or observes an animal whom he or she knows or reasonably suspects has been the victim of animal cruelty, abuse or neglect, may report the known or suspected animal cruelty, abuse or neglect to the entities that investigate reports of animal cruelty, abuse or neglect, as described in section 57 of chapter 22C, or any local animal control authority.

(b) The report may be made within 2 working days of receiving the information concerning the animal, by facsimile transmission or a written report or by telephone. In cases where an immediate response may be necessary in order to protect the health and safety of the animal, the report should be made by telephone as soon as possible.

(c) When 2 or more investigators are present and jointly have knowledge of known or reasonably suspected animal cruelty, abuse or neglect, and where there is agreement among them, a report may be made by 1 person by mutual agreement. Any reporter who has knowledge that the person designated to report has failed to do so may thereafter make the report.

(d) No person making such report shall be liable in any civil or criminal action by reason of such report if it was made in good faith. Any applicable privilege that relates to confidential communications made to the commission shall not prohibit the filing of a report pursuant to this section.

(e) Nothing in this section shall impose a duty on the commission to investigate known or reasonably suspected animal cruelty, abuse or neglect.

(f) Nothing in this section shall prevent the commission from entering into an agreement, contract or memorandum of understanding with the entities that investigate reports of animal cruelty, abuse or neglect as described in section 57 of chapter 22C, to require such reports or to engage in training in identification and reporting of animal abuse, cruelty and neglect.

**G. L. c. 186, § 30. Inspection of vacated property for presence of abandoned animals**

Not more than 3 days after a property owner or a lessor knew or should have known that a property has been vacated through termination of tenancy, abandonment or other removal or exclusion of a tenant from the premises under this chapter or chapter 186A, the property owner, lessor or a designee shall inspect the property for the presence of abandoned animals.

If the property owner, lessor or a designee encounters an abandoned animal, that person shall immediately notify an animal control officer as defined in section 136A of chapter 140, a police officer or other authorized agent of the presence and condition of the animal.

The property owner, lessor or a designee who encounters an abandoned animal under this section shall not be considered the owner, possessor or person having charge or custody of the animal under section 77 of chapter 272.

For the purposes of this section, an animal shall be considered abandoned if it is found on or in a property vacated through termination of tenancy, abandonment or other removal or exclusion of a tenant from the premises under this chapter or said chapter 186A.

If the property owner, lessor or designee fails to comply with this section, the lessor or property owner shall be subject to a civil penalty of not more than $500 for a first offense and not more than $1,000 for a second or subsequent offense. Funds collected under this section shall be deposited into the Homeless Animal Prevention and Care Fund established in section 35WW of chapter 10.

**G. L. c. 244, § 41. Inspection of property for presence of abandoned animals**

Not more than 3 days after the property owner knew or should have known that a property was vacated through a mortgage foreclosure, the owner, person in control of the property or a designee shall inspect the property for the presence of abandoned animals. If the owner, person in control of the property or a designee encounters an abandoned animal under this section, such person shall immediately notify an animal control officer as defined in section 136A of chapter 140, a police officer or other authorized agent of the presence and condition of the animal.

The owner, person in control of the property or a designee who encounters an abandoned animal pursuant to this section shall not be considered the owner, possessor or person having the charge or custody of the animal under section 77 of chapter 272.

For the purposes of this section, an animal shall be considered abandoned if it is found in a property vacated through mortgage foreclosure.

If the owner or person in control of the property fails to comply with this section, such person shall be subject to a civil penalty of not more than $500 for a first offense and not more than $1,000 for a second or subsequent offense. Funds collected under this section shall be deposited into the Homeless Animal Prevention and Care Fund established in section 35WW of chapter 10.

**G. L. c. 131, § 19B. Transporting mammals for purpose of euthanasia; putting animal to death by drowning prohibited**

***See also G. L. c. 272, § 80E½***
*Section 4 below refers to the powers of the director of the division of fisheries and wildlife (MassWildlife). This section refers to problem animal control agents licensed by MassWildlife.*

Any person authorized under section 4 to take and possess mammals may transport them within the commonwealth for the purpose of euthanasia.

A person authorized under this chapter to take and possess birds, reptiles, amphibians or mammals shall not put an animal to death by the use of drowning. Any such person who intentionally or knowingly puts an animal to death by the use of drowning shall, for a first offense, be punished by imprisonment in the state prison for not more than 7 years or in a jail or house of correction for not more than 2½ years, by a fine of not more than $5,000 or by both such fine and imprisonment and, for a second or subsequent offense, by imprisonment in the state prison for not more than 10 years, by a fine of not more than $10,000 or by both such fine and imprisonment.

The paragraph above shall not take effect until the department of Fish and Game, in consultation with the Environmental Police; the division of Animal Health; and the department of Agricultural Resources, file a report with the clerks of the senate and house of representatives, the house and senate chairs of the joint committee on municipalities and regional government, and the house and senate committees on ways and means, identifying best practices related to trapping and pest control, to include alternatives to drowning. Such report shall be filed on or before June 1, 2019. Provided that if said report is not filed on or before June 1, 2019, the above paragraph shall take effect on June 1, 2019.

**G. L. c. 131, § 19C. Use of elephants, big cats, primates, giraffes, and bears in traveling exhibits and shows; exceptions; penalties**

(a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

“Covered animal”, any of the following animals or hybrids thereof: (i) elephantidae; (ii) lions (panthera leo), tigers (panthera tigris), leopards (panthera pardus), clouded leopards (neofelis nebulosa and neofelis diardi), snow leopards (panthera uncia), jaguars (panthera onca), cheetahs (acinonyx jubatus), mountain lions (puma concolor); (iii) non-human primates; (iv) ursidae; and (v) giraffidae.

“Mobile or traveling housing facility”, any vehicle used to transport or house covered animals while traveling for a performance, including, but not limited to, trucks, trailers or railway cars.

“Performance”, any presentation, exposition, fair, animal act, circus, ride, trade show, petting zoo, carnival, parade, race or similar undertaking in which a covered animal is required to perform tricks, give rides or participate as an accompaniment or be available for the entertainment, amusement or benefit of a live audience.

“Resident animal”, an animal owned, leased or loaned and otherwise exclusively housed at a non-mobile, permanent institution or other fixed facility.

“Traveling animal act”, any performance where a covered animal is transported to, from or between locations for the purpose of the performance in a mobile or traveling housing facility.

(b) Notwithstanding section 77B of chapter 272, no person shall allow for or cause the participation of a covered animal in a traveling animal act.

(c) This section shall not apply: (i) to a performance that takes place at a non-mobile, permanent institution or other fixed facility if the covered animal is a resident animal at the same facility in which the performance takes place; (ii) during the filming of a motion picture by a motion picture production company, as defined in section 38X of chapter 63, that has obtained any permits required by law, if the

use does not involve a live public animal exhibition; (iii) to the transport of a covered animal for the purpose of veterinary care by a licensed veterinarian, including, but not limited to, examination, testing, individual treatment or operation; or (iv) to the transport of a covered animal from 1 non-mobile, permanent institution or other fixed facility to another for purposes of becoming a resident animal.

(d) A person who violates this chapter shall be subject to a civil penalty of not less than $500 and not more than $10,000 per animal involved in the violation.

(e) An officer or agent authorized by the executive office of energy and environmental affairs, a law enforcement officer of the commonwealth or law enforcement officer of any unit of local government in the commonwealth may enforce this section.

(f) The director of the division of fisheries and wildlife may adopt rules necessary for the administration and implementation of this section.

**G. L. c. 140, § 136A. Definitions applicable to Secs. 137 to 174G**

The following words as used in sections 137 to 174G, inclusive, shall have the following meanings unless the context requires otherwise:

"Adoption", the delivery of a cat or dog to a person 18 years of age or older for the purpose of taking care of the dog or cat as a pet.

"Animal control officer", an appointed officer authorized to enforce sections 136A to 174G, inclusive.

"Attack", aggressive physical contact initiated by an animal.

"Commercial boarding or training kennel", an establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal; provided, however, that "commercial boarding or training kennel" shall not include an animal shelter or animal control facility, a pet shop licensed under section 39A of chapter 129, a grooming facility operated solely for the purpose of grooming and not for overnight boarding or an individual who temporarily, and not in the normal course of business, boards or cares for animals owned by others.

"Commercial breeder kennel", an establishment, other than a personal kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers or pet shops in return for consideration.

"Commissioner", the commissioner of agricultural resources.

"Dangerous dog", a dog that either: (i) without justification, attacks a person or domestic animal causing physical injury or death; or (ii) behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal.

"Department", the department of agricultural resources.

"Domestic animal", an animal designated as domestic by regulations promulgated by the department of fish and game.

"Domestic charitable corporation kennel", a facility operated, owned or maintained by a domestic charitable corporation registered with the department or an animal welfare society or other nonprofit organization incorporated for the purpose of providing for and promoting the welfare, protection and humane treatment of animals, including a veterinary hospital or clinic operated by a licensed veterinarian, which operates consistent with such purposes while providing veterinary treatment and care.

"Euthanize", to take the life of an animal by the administration of barbiturates in a manner deemed acceptable by the American Veterinary Medical Association Guidelines on Euthanasia.

"Hearing authority", the selectmen of a town, mayor of a city, the officer in charge of the animal commission, the chief or commissioner of a police department, the chief or commissioner's designee or the person charged with the responsibility of handling dog complaints in a town or city.

"Keeper", a person, business, corporation, entity or society, other than the owner, having possession of a dog.

"Kennel", a pack or collection of dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.

"Licensee", a person who owns and maintains a kennel that has received a kennel license from the relevant licensing authority.

“License period”, the period of time for which a municipal licensing authority prescribes the validity of a dog license, including the date of issuance of the license through the date on which the license expires, inclusive.

“Licensing authority”, the police commissioner of the city of Boston and the clerk of any other municipality.

“Livestock or fowl”, a fowl or other animal kept or propagated by the owner for food or as a means of livelihood, deer, elk, cottontail rabbit, northern hare, pheasant, quail, partridge and other birds and quadrupeds determined by the department of fisheries, wildlife and environmental law enforcement to be wild and kept by, or under a permit from, the department in proper houses or suitable enclosed yards; provided, however, that “livestock or fowl” shall not include a dog, cat or other pet.

“Nuisance dog”, a dog that: (i) by excessive barking or other disturbance, is a source of annoyance to a sick person residing in the vicinity; or (ii) by excessive barking, causing damage or other interference, a reasonable person would find such behavior disruptive to one’s quiet and peaceful enjoyment; or (iii) has threatened or attacked livestock, a domestic animal or a person, but such threat or attack was not a grossly disproportionate reaction under all the circumstances.

“Personal kennel”, a pack or collection of more than 4 dogs, 3 months old or older, owned or kept under single ownership, for private personal use; provided, however, that breeding of personally owned dogs may take place for the purpose of improving, exhibiting or showing the breed or for use in legal sporting activity or for other personal reasons; provided further, that selling, trading, bartering or distributing such breeding from a personal kennel shall be to other breeders or individuals by private sale only and not to wholesalers, brokers or pet shops; provided further, that a personal kennel shall not sell, trade, barter or distribute a dog not bred from its personally-owned dog; and provided further, that dogs temporarily housed at a personal kennel, in conjunction with an animal shelter or rescue registered with the department, may be sold, traded, bartered or distributed if the transfer is not for profit.

“Research institution”, an institution operated by the United States, the commonwealth or a political subdivision thereof, a school or college of medicine, public health, dentistry, pharmacy, veterinary medicine or agriculture, a medical diagnostic laboratory, a biomedical corporation, or biological laboratory or a hospital or other educational or scientific establishment within the commonwealth above the rank of secondary school which, in connection with any of the activities thereof, investigates or provides instruction relative to the structure or function of living organisms or to the cause, prevention,
control or cure of diseases or abnormal conditions of human beings or animals.

“Shelter”, a public animal control facility or other facility which is operated by an organization or individual for the purpose of protecting animals from cruelty, neglect or abuse.

“Veterinary kennel”, a veterinary hospital or clinic that boards dogs for reasons in addition to medical treatment or care; provided, however, that “veterinary kennel” shall not include a hospital or clinic used solely to house dogs that have undergone veterinary treatment or observation or will do so only for the period of time necessary to accomplish that veterinary care.

**G. L. c. 140, § 137. Registration and licensing of dogs**

(a) The owner or keeper of a dog over the age of 6 months shall obtain a license for the dog. The registering, numbering, describing and licensing of a dog shall be conducted in the office of the licensing authority in the city or town in which the dog is kept.

(b) A licensing authority shall not grant a license for a dog unless the owner of the dog provides the licensing authority with a veterinarian's certification that the dog has been vaccinated in accordance with section 145B, certification that such dog is exempt from the vaccination requirement under said section 145B or a notarized letter from a veterinarian that either of these certifications was issued relative to such dog.

(c) The license shall be granted upon condition that the dog shall be controlled and restrained from killing, chasing or harassing livestock or fowl. The owner of a dog may add descriptive words, not over 10 in number, upon the license form to indicate the color, breed, weight or special markings of the licensed dog. The owner or keeper of a licensed dog shall keep affixed around the dog's neck or body, a collar or harness of leather or other suitable material, to which a tag shall be securely attached. The tag shall have inscribed upon it the dog's license number, the name of the city or town issuing the license and the year of issue. If the tag becomes lost, the owner or keeper of the dog shall immediately secure a substitute tag from the licensing authority at a cost to be determined by the city or town and the fee for the substitute shall, if received by a city or town clerk, be retained by the Clerk unless otherwise provided by law. This section shall not apply to a person to whom a valid kennel license has been issued.

(d) This section shall not apply to a dog or cat housed in a research institution.

**G. L. c. 140, § 137A. Kennel licenses**

(a) A person maintaining a kennel shall obtain a kennel license. A licensing authority shall issue, suspend, renew and revoke kennel licenses as specified in this chapter and any other law. In the case of an applicant for initial licensure or license renewal, a licensing authority shall deny a kennel license until a kennel has passed inspection by an animal control officer.

(b) (1) The issuing city or town shall determine the period of time for which a kennel license shall be valid, including the date of issuance of the license through the date on which the license expires, inclusive, and shall further determine the fee for the issuance and renewal of the license. To determine the amount of the license fee for a kennel, a dog under the age of 3 months shall not be counted in the number of dogs kept in a kennel. The name and address of the owner of each dog kept in a kennel, if other than the person maintaining the kennel, shall be kept at the kennel and available for inspection by an animal control officer, natural resource officer, deputy natural resource officer, fish and game warden or police officer. A kennel that owns or keeps a dog over the age of 6 months shall comply with section 145B.

(2) A commercial boarding or training kennel shall maintain records of individual dog licenses as required in section 137, for all dogs in its care.

(c) The licensing authority shall issue a kennel license without charge to a domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse or for the relief of suffering.

(d) The licensing authority shall specify on the license the type of kennel and the maximum number of animals that may be maintained by the licensee. Such number shall be determined by the licensing authority and the animal control officer following the required inspection. For commercial boarding or training kennels, the number of animals shall be determined following the required inspection and in accordance with regulations promulgated pursuant to section 174G to ensure the property can support the number of animals while ensuring their health and safety.

(e) (1) Annually, not later than June 1, the licensing authority shall send to the department a list of all kennels and their addresses licensed by the city or town pursuant to this section.

(2) The department shall annually review the list of kennels submitted as required by this

section to evaluate the compliance of municipalities issuing kennel licenses in accordance with this chapter.

(f) A person who violates this section shall be assessed a fine by the licensing authority of $500 for a first offense and a fine of not more than $1,000 for a second or subsequent offense.

**G. L. c. 140, § 137B. Sale or other delivery of unlicensed dog by kennel licensee**

Every holder of a kennel license, on delivering an unlicensed dog to a purchaser or to any other person, shall attach to such dog a collar or harness which shall carry a tag marked with the name and address of such kennel licensee, and a number, which number shall be properly recorded on the records of such licensee, and shall also furnish to the person to whom the dog is delivered a certificate bearing the same number and a description of the dog. Such certificate shall bear the date of purchase, exchange or gift and, with the tag, shall, for a period of two weeks following such date, be a legal substitute for a license. The purchaser or other recipient of a dog shall, within two weeks of the purchase or receipt of such dog, either return the same to the licensee from whom it was received, together with the collar or harness, tag and certificate, or return to such licensee said tag, and a certificate signed by the clerk of the town or city where the dog is to be kept and certifying that the dog has been licensed in the name of such purchaser or recipient or of some other person. If any such purchaser or recipient fails to comply with the preceding sentence, such licensee shall notify the clerk of the town or city in which he is licensed of the purchase, exchange or gift of such dog and shall furnish to such clerk the date thereof, and the name and address of the purchaser or recipient.

**G. L. c. 140, § 137C. Inspection of kennels; revocation, suspension and reinstatement of license; nuisance**

(a) The mayor of a city, the select board of a town, the town manager of a town, the police commissioner of the city of Boston, a chief of police or an animal control officer shall inspect or cause the inspection of every kennel licensed within the city or town at least once per year. If a licensee or a person applying for a license to maintain a kennel refuses to allow an inspector to enter and inspect a kennel, the refusal shall be grounds for denial, suspension or revocation of the license.

Twenty-five citizens of a city or town may file a petition with the mayor of a city, the select board of a town or the police commissioner of the city of Boston, as the case may be, stating that they are aggrieved or annoyed to an extent that constitutes a nuisance by a dog maintained in the city or town due to excessive barking or other conditions connected with a kennel. The mayor, select board, town manager or police commissioner of the city of Boston, as the case may be, shall, not more than 7 days after the filing of such petition, give notice to all interested parties of a public hearing. The hearing shall be held not more than 14 days after the date of the notice. The mayor, select board, town manager or police commissioner of the city of Boston shall, not more than 7 days after the public hearing, investigate or cause to be investigated the subject matter of the petition and shall, by order: (i) suspend the license; (ii) revoke the license; (iii) further regulate the kennel; or (iv) dismiss the petition.

(b) A written notice under subsection (a) of an order revoking or suspending the license, further regulating the kennel or dismissing the petition shall be mailed immediately to the licensee and to the officer that issued the license. Not more than 10 days after the written notice of the order, the licensee may file a petition in the district court in the judicial district in which the kennel is maintained seeking review of the order. After notice to all parties as the court may consider necessary, the court shall review the action, hear the witnesses and affirm the order unless the court determines that it was made without proper cause or in bad faith, in which case the order shall be reversed. The decision of the court shall be final and conclusive upon the parties. A person maintaining a kennel after the license to maintain a kennel has been revoked or suspended shall be assessed a fine by the licensing authority of not more than $250 for a first offense, by a fine of not less than $500 for a second offense and by a fine of not more than $1,500 for a third or subsequent offense.

**G. L. c. 140, § 137D. Surrender of license or tag for offenses against animals**

Unless otherwise specifically provided by law, every license and tag issued under the provisions of sections one hundred and thirty–seven and one hundred and thirty–seven A, or under any ordinance or by–law relative to the licensing of dogs made under the authority of this chapter, held by any person found guilty of, or penalized in any manner for, a violation of any provision of section 174G or sections 77, 80½, 80A, 94, or 95 of chapter 272, shall be void, and shall immediately be surrendered to the authority issuing such license and tag.

The clerk of the court in whose jurisdiction such finding has been made shall notify the licensing authority in the city or town where the guilty person resides.

No person shall be given a license and tag under authority of section one hundred and thirty–seven and one hundred and thirty–seven A during a period of 5 years from the date of his being found guilty or penalized as aforesaid, and any such license and tag so issued shall be void and shall be surrendered on demand of any authority granting such license and tag. No fee received for a license and tag made void under this section shall be refunded to the holder thereof.

**G. L. c. 140, § 141C. Selling or transferring for permanent physical placement a dog or cat that is less than 8 weeks of age is prohibited**

(a) No person shall sell, offer to sell, exchange, trade, barter, lease or transfer for permanent physical placement a dog or cat that is less than 8 weeks of age.

(b) A violation of this subsection shall be punished by a fine of not more than $100. Each dog or cat sold, exchanged, traded, bartered, leased or transferred for permanent physical placement in violation of this section shall constitute a separate offense.

(c) A city or town shall enforce this section through its animal control officers or police officers in a manner consistent with the disposition provisions in section 21D of chapter 40.

**G. L. c. 140, § 141D. Selling or transferring for permanent physical placement a dog or cat on roadsides, public spaces, parking lots, and outdoor markets is prohibited; penalties**

(a) No person shall sell, offer to sell, exchange, trade, barter, lease or transfer any dog or cat on any roadside, public right-of-way, parkway, median, park or other recreation area, flea market or other outdoor market or commercial or retail parking lot.

(b) This section shall not apply to the: (i) transfer, regardless of payment or compensation, of a dog or cat by or to a shelter or animal rescue organization licensed pursuant to section 39A of chapter 129 or a municipal animal control facility; or (ii) display of a dog or cat as part of a state or county fair exhibition, a 4-H program or similar exhibition or educational program.

(c) A violation of this section shall be punished by a fine of not more than $50 for a first offense, a fine of not more than $100 for a second offense and a fine of not more than $300 for each subsequent offense. Each dog or cat sold, offered to be sold, exchanged, traded, bartered, leased or transferred in violation of this section shall constitute a separate offense.

(d) A city or town shall enforce this section through its animal control officers or police officers in a manner consistent with the disposition provisions in section 21D of chapter 40.

**G. L. c. 140, § 146. License valid throughout state; removal of dog into another town or city**

A license duly recorded shall be valid throughout the commonwealth, except that, in the case of the permanent removal of a dog into another town within the commonwealth, the owner or keeper thereof shall, within thirty days after such removal, present the original license and tag of such dog to the clerk of the town or city to which such dog has been removed and the clerk shall take up the same and issue to such owner or keeper a transfer license and a tag for such dog upon payment of an amount to be determined by the city or town which shall be retained by the clerk unless otherwise provided by law. The provisions of section one hundred and thirty–seven relative to the form and furnishing of licenses and tags shall apply to licenses and tags issued under this section.

**G. L. c. 140, § 151C. Animal control officer training course**

The commissioner shall, from time to time and subject to the availability of funds from the Homeless Animal Prevention and Care Fund in section 35WW of chapter 10, provide for a training course for animal control officers. For a training course established under this section, there shall be a preference for persons who have been in the employ of a city or town as an animal control officer for 12 months or less. A training course that is offered by a private entity including, but not limited to, the Animal Control Officers Association of Massachusetts, shall not be eligible for reimbursement from the Homeless Animal Prevention and Care Fund unless such course has been approved by the commissioner.

**G. L. c. 140, § 156. Killing dogs under certain conditions; wounded dogs**

Any person may kill a dog which suddenly assaults him while he is peaceably standing, walking or riding outside the enclosure of its owner or keeper; and any person may kill a dog found out of the enclosure of its owner or keeper and not under his immediate care in the act of worrying, wounding or killing persons, live stock or fowls, and if any person shall kill or attempt to kill a dog so found, and in the act of worrying, wounding or killing persons, live stock or fowls, he shall not be held liable for cruelty to the dog unless it shall be shown that he intended to be cruel to the dog, or that he acted with a wanton and reckless disregard for the suffering of the dog. A person killing or wounding a dog under the conditions set out in this section shall promptly report to the owner, animal control officer or police officer such killing or wounding. Prompt killing of a wounded dog, or a prompt report to the owner or to a dog officer of the wounding of the dog, shall be considered evidence of sufficient regard for the suffering of the dog.

**G. L. c. 140, § 157. Nuisance or dangerous dogs; orders for remedial action; appeal; violation of order**

(a) Any person may file a complaint in writing to the hearing authority that a dog owned or kept in the city or town is a nuisance dog or a dangerous dog; provided, however, that no dog shall be deemed dangerous: (i) solely based upon growling or barking or solely growling and barking; (ii) based upon the breed of the dog; or (iii) if the dog was reacting to another animal or to a person and the dog's reaction was not grossly disproportionate to any of the following circumstances:

(1) the dog was protecting or defending itself, its offspring, another domestic animal or a person from attack or assault;

(2) the person who was attacked or threatened by the dog was committing a crime upon the person or property of the owner or keeper of the dog;

(3) the person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or otherwise provoking the dog; or

(4) at the time of the attack or threat, the person or animal that was attacked or threatened by the dog had breached an enclosure or structure in which the dog was kept apart from the public and such person or animal was not authorized by the owner of the premises to be within such enclosure including, but not limited to, a gated, fenced-in area if the gate was closed, whether locked or unlocked; provided, however, that if a person is under the age of 7, it shall be a rebuttable presumption that such person was not committing a crime, provoking the dog or trespassing.

The hearing authority shall investigate or cause the investigation of the complaint, including an examination under oath of the complainant at a public hearing in the municipality to determine whether the dog is a nuisance dog or a dangerous dog. Based on credible evidence and testimony presented at the public hearing, the hearing authority shall: (i) if the dog is complained of as a nuisance dog, either dismiss the complaint or deem the dog a nuisance dog; or (ii) if the dog is complained of as a dangerous dog: (A) dismiss the complaint; (B) deem the dog a nuisance dog; or (C) deem the dog a dangerous dog.

(b) If the hearing authority deems a dog a nuisance dog, the hearing authority may further order that the owner or keeper of the dog take remedial action to ameliorate the cause of the nuisance behavior.

(c) If the hearing authority deems a dog a dangerous dog, the hearing authority shall order 1 or more

of the following:

(i) that the dog be humanely restrained; provided, however, that no order shall provide that a dog deemed dangerous be chained, tethered or otherwise tied to an inanimate object including, but not limited to, a tree, post or building;

(ii) that the dog be confined to the premises of the keeper of the dog; provided, however, that "confined" shall mean securely confined indoors or confined outdoors in a securely enclosed and locked pen or dog run area upon the premises of the owner or keeper; provided further, that such pen or dog run shall have a secure roof and, if such enclosure has no floor secured to the sides thereof, the sides shall be embedded into the ground for not less than 2 feet; and provided further, that within the confines of such pen or dog run, a dog house or proper shelter from the elements shall be provided to protect the dog;

(iii) that when removed from the premises of the owner or the premises of the person keeping the dog, the dog shall be securely and humanely muzzled and restrained with a chain or other tethering device having a minimum tensile strength of 300 pounds and not exceeding 3 feet in length;

(iv) that the owner or keeper of the dog provide proof of insurance in an amount not less than $100,000 insuring the owner or keeper against any claim, loss, damage or injury to persons, domestic animals or property resulting from the acts, whether intentional or unintentional, of the dog or proof that reasonable efforts were
made to obtain such insurance if a policy has not been issued; provided, however, that if a policy of insurance has been issued, the owner or keeper shall produce such policy upon request of the hearing authority or a justice of the district court; and provided further, that if a policy has not been issued the owner or keeper shall produce proof of efforts to obtain such insurance.

(v) that the owner or keeper of the dog provide to the licensing authority or animal control officer or other entity identified in the order, information by which a dog may be identified, throughout its lifetime including, but not limited to, photographs, videos, veterinary examination, tattooing or microchip implantations or a combination of any such methods of identification; that unless an owner or keeper of the dog provides evidence that a veterinarian is of the opinion the dog is unfit for alterations because of a medical condition, the owner or keeper of the dog shall cause the dog to be altered so that the dog shall not be reproductively intact; or

(vi) that the dog be humanely euthanized.

No order shall be issued directing that a dog deemed dangerous shall be removed from the town or city in which the owner of the dog resides. No city or town shall regulate dogs in a manner that is specific to breed.

(d) Within 10 days after an order issued under subsections (a) to (c), inclusive, the owner or keeper of a dog may bring a petition in the district court within the judicial district in which the order relative to the dog was issued or where the dog is owned or kept, addressed to the justice of the court, praying that the order be reviewed by the court or a magistrate of the court. After notice to all parties, the magistrate shall, under section 62C of chapter 221, review the order of the hearing authority, hear the witnesses and affirm the order unless it shall appear that it was made without proper cause or in bad faith, in which case the order shall be reversed. A party shall have the right to request a de novo hearing on the complaint before a justice of the court.

(e) (1) Pending an appeal by an owner or keeper under subsection (d), a hearing authority may file a petition in the district court to request an order of impoundment at a facility the municipality uses to shelter animals for a dog complained of as being a dangerous dog. A municipality shall not incur liability for failure to request impoundment of a dog under this subsection.

(2) A justice of a district court, upon probable cause to believe that a dog is a dangerous dog or that a dog is being kept in violation of this section or in violation of an order issued under this section by a hearing authority or a court, may issue an order: (i) of restraint; (ii) of confinement of the dog as considered necessary for the safety of other animals and the public; provided, however, that if an order of confinement is issued, the person to whom the

order is issued shall confine the dog in accordance with clause (ii) of subsection (c); or (iii) of impoundment in a humane place of detention that the municipality uses to shelter animals; or (iv) any other action as the court deems necessary to protect other animals and the public from the dog.

(f) A justice of the district court shall hear, de novo, an appeal filed under subsection (d). Based upon credible evidence and testimony presented at trial, the court shall, whether the dog was initially complained of as a nuisance dog or as a dangerous dog: (i) dismiss the complaint; (ii) deem the dog a nuisance dog; or (iii) deem the dog a dangerous dog. The decision of the court shall be final and conclusive upon the parties.

(g) If a court affirms an order of euthanasia, the owner or keeper of the dog shall reimburse the city or town for all reasonable costs incurred for the housing and care of such dog during its impoundment and throughout the appeals process, if any. Unpaid costs shall be recovered by the municipality in which the owner or keeper of the dog resides on behalf of the hearing authority by any of the following methods: (i) a lien on any property owned by the owner or keeper of the dog; (ii) an additional, earmarked charge to appear on the vehicle excise of the owner or keeper of the dog; or (iii) a direct bill sent to the owner or keeper of the dog.

All funds recovered by a municipality under this subsection shall be transferred to the organization or entity charged with the responsibility of handling dog complaints and impoundment. If the organization or entity falls under the management or direction of the municipality, costs recovered shall be distributed at the discretion of the municipality.

If the court overturns an order of euthanasia, the city or town shall pay all reasonable costs incurred for the housing and care of the dog during any period of impoundment.

(h) If an owner or keeper of a dog is found in violation of an order issued under this section, the dog shall be subject to seizure and impoundment by a law enforcement or animal control officer. If the keeper of the dog is in violation, all reasonable effort shall be made by the seizing authority to notify the owner of the dog of such seizure. Upon receipt of such notice, the owner may file a petition with the hearing authority, within 7 days, for the return of the dog to the owner. The owner or keeper shall be ordered to immediately surrender to the licensing authority the license and tags in the person's possession, if any, and the owner or keeper shall be prohibited from licensing a dog within the commonwealth for 5 years. A hearing authority that determines that a dog is dangerous or a nuisance or that a dog owner or keeper has violated an order issued under this section shall report such violations to the issuing licensing authority within 30 days.

(i) Orders issued by a hearing authority shall be valid throughout the commonwealth unless overturned under subsection (d) or (f).

**G. L. c. 140, § 157A: Non-compliance of dog owner or keeper with order; transferring ownership or selling of dangerous dog**

(a) An owner or keeper of a dog who fails to comply with an order of a hearing authority or district court shall be punished, for a first offense, by a fine of not more than $500 or imprisonment for not more than 60 days in a jail or house of correction, or both, and for a second or subsequent offense by a fine of not more than $1,000 or imprisonment for not more than 90 days in a jail or house of correction.

(b) No person over the age of 17 who has actual knowledge that a dog has been deemed dangerous under section 157 shall permit a child under the age of 17 to own, possess or have the care or custody of such dog.

(c) No person shall transfer ownership or possession of a dog which such person knows, or reasonably should have known, has been deemed dangerous under section 157 or offer such dangerous dog for sale or breed without informing the recipient of the dog of the finding of dangerousness.

**G. L. c. 140, § 167. Ordering dogs to be restrained; euthanizing unrestrained dogs**

The mayor, aldermen or board of selectmen may order that all dogs shall be restrained from running at large during such times as shall be prescribed by the order. Once passed, a certified copy of the order shall be posted in at least 2 public places in the city or town or, if a daily newspaper is published in the city or town, by publishing a copy once in that newspaper. Following publication, the mayor, aldermen or board of selectmen may issue a warrant to a police officer or constable in a city or town, who shall, not sooner than 24 hours after the publication of the notice, euthanize all dogs in a humane manner that are found running at large contrary to the order. Notwithstanding the foregoing, a police officer or constable may, in the officer's or constable's discretion, hold any such dog for not more than 7 days. If the owner of the dog claims it and pays to the officer or constable a penalty of $40 for each day that the dog has been held, the dog shall be returned to its owner. The amount shall be paid over to the city or town.

**G. L. c. 140, § 169. Penalty on officer; report of refusal or neglect of officer to perform duties**

A city or town officer who refuses or willfully neglects to perform the duties imposed upon the officer by this chapter relating to dogs shall be punished by a fine of not less than $100, which shall be paid to the city or town. Whoever is aggrieved by such refusal or neglect may report the same forthwith to the district attorney of his district.

**G. L. c. 140, § 173A. Violation of dog control laws; non-criminal disposition**

Whenever a complaint is sought in a district court for a violation of an ordinance or by-law, made under the provisions of section one hundred and seventy-three, the clerk shall send a written notice to the person complained against stating that such a complaint has been sought and will issue unless such person appears before such clerk and confesses the offense either personally or through an agent duly authorized in writing, or by mailing to such clerk, with the notice the fine provided herein. The fine for the first offense committed by a person shall be $50. The fine for a second offense shall be $100. The fine for a third offense shall be $300. For a fourth or subsequent offense, the fine shall be $500 and the municipality may order the animal spayed or neutered. Payment shall be made only by money order or check. Notwithstanding the foregoing procedure and schedule of fines, but subject to all other provisions of this section, a city or town may, by ordinance or by-law, provide for an alternative procedure and a different schedule of fines; provided, however, that the fines shall not be lower than those stated in this section. Notwithstanding this section, a municipality may seek a remedy under section 157 for a nuisance dog.

Proceedings under this section shall not be deemed criminal; and no person notified to appear before the clerk of a district court as provided herein shall be required to report to any probation officer, and no record of the case shall be entered in the probation records.

If a person notified to appear, as hereinbefore provided, fails to appear or pay the fine within twenty-one days of the sending of the notice, or having appeared, does not desire to avail himself of the procedure established by this section, the clerk shall issue the complaint and the procedure established for criminal cases shall be followed.

If any person fails to appear in accordance with the summons issued upon such complaint, the clerk of the court shall send such person, by registered mail, return receipt requested, a notice that the complaint is pending and that, if the person fails to appear within twenty-one days from the sending of such notice, a warrant for his arrest will be issued.

**G. L. c. 140, § 174E. Chaining or tethering dog; confinement; restrictions; penalty**

(a) No person owning or keeping a dog shall chain or tether a dog for longer than 5 hours in a 24 hour period or outside from 10:00 p.m. to 6:00 a.m., unless the tethering is for not more than 15 minutes and the dog is not left unattended by the owner, guardian or keeper. A tethering employed shall not allow the dog to leave the owner's, guardian's or keeper's property. The tether shall be designed for dogs and no logging chains or other lines or devices not designed for tethering dogs shall be used. No chain or tether shall weigh more than ⅛ of the dog's body weight. Nothing in this section shall be construed to prohibit a person from walking a dog on a hand-held leash. No dog under the age of 6 months shall be tethered outside for any length of time.

(b) A person owning or keeping a dog may confine such dog outside, subject to the restrictions in this section, through the use of any of the following methods:

(1) inside a pen or secure enclosure, if the following conditions are met:

(i) the pen or secure enclosure shall have adequate space for exercise with a dimension of at least 100 square feet; provided, however, that commercial dog kennels with pens intended for the temporary boarding of dogs shall be exempt from this requirement;

(ii) the pen or secure enclosure is constructed with chain link or other similar material as determined by the Building Inspector, with all 4 sides enclosed; and

(iii) the minimum height of the fence shall be adequate to successfully confine the dog;

(2) a fully fenced, electronically fenced or otherwise securely enclosed yard, wherein a dog has the ability to run but is unable to leave the enclosed yard; or

(3) a trolley system or a tether attached to a pulley in a cable run, if the following conditions are met:

(i) only 1 dog shall be tethered to each cable run;

(ii) the tether shall be attached to a properly fitting collar or harness worn by the dog, with enough room between the collar and the dog's throat through which 2 adult fingers may fit; provided, however, that a choke collar and a pinch collar shall not be used to tether a dog to a cable run;

(iii) there shall be a swivel on at least 1 end of the tether to minimize tangling of the tether;

(iv) the tether and cable run must each be at least 10 feet in length. The cable must be mounted at least 4 feet but not more than 7 feet above ground level; and

(v) the length of the tether from the cable run to the dog's collar or harness shall allow continuous access to clean water and appropriate shelter at all times as described in subsection (c); provided, however, that a trolley system or tether shall be of appropriate configuration to confine the dog to the owner's, guardian's or keeper's property, to prevent the trolley system or tether from extending over an object to an edge that could result in injury to or strangulation of the dog and to prevent the trolley system or tether from becoming tangled with other object or animals.

(c) A person owning or keeping a dog confined outside in accordance with subsection (b) shall provide the dog with access to clean water and appropriate dog shelter. The dog shelter shall allow the dog to remain dry and protected from the elements and shall be fully enclosed on at least 3 sides, roofed and have a solid floor. The entrance to the shelter shall be flexible to allow the dog's entry and exit, and sturdy enough to block entry of weather elements. The shelter shall contain clean bedding and shall be small enough to retain the dog's body heat and large enough to allow the dog to stand, lie down and turn comfortably. The enclosure shall be structurally sound and in good repair. Suitable drainage shall be provided so that water, ice or waste is not standing in or around the shelter.

(d) A person shall not leave a dog outside when a weather advisory, warning or watch is issued by a local, state or federal authority or when outside environmental conditions including, but not limited to, extreme heat, cold, wind, rain, snow or hail pose an adverse risk to the health or safety of the dog based on the dog's breed, age or physical condition, unless the tethering is for not more than 15 minutes.

(e) An exception to a restriction on outdoor confinement under this section that is reasonably necessary for the safety of a dog shall be made for a dog that is: (i) present in a camping or recreational area pursuant to the policy of the camping or recreational area; or (ii) actively engaged in conduct that is directly related to the business of shepherding or herding cattle or other livestock or engaged in conduct that is directly related to the business of cultivating agricultural products.

(f) No person owning or keeping a dog shall subject the dog to cruel conditions or inhumane chaining or the tethering at any time. For the purposes of this subsection, "cruel conditions and inhumane chaining or tethering" shall include, but not be limited to, the following conditions:

(1) filthy and dirty confinement conditions including, but not limited to, exposure to excessive animal waste, garbage, dirty water, noxious odors, dangerous objects that could injure or kill a dog upon contact or other circumstances that could cause harm to a dog's physical or emotional health;

(2) taunting, prodding, hitting, harassing, threatening or otherwise harming a tethered or confined dog; and

(3) subjecting a dog to dangerous conditions, including attacks by other animals.

(g) A person who violates this section shall, for a first offense, be issued a written warning or punished by a fine of not more than $50, for a second offense, be punished by a fine of not more than $200 and for a third or subsequent offense, be punished by a fine of not more than $500, and be subject to impoundment of the dog in a local shelter at the owner's, keeper's or guardian's expense pending compliance with this section, or loss of ownership of the dog.

(h) A special police officer appointed by the colonel of the state police at the request of the Massachusetts Society for the Prevention of Cruelty to Animals and the Animal Rescue League of Boston under section 57 of chapter 22C may enforce this section following the same procedures relating to notice and court procedure in section 21D of chapter 40 for the non-criminal disposition of a violation, if an animal control officer contacted by either of these agencies in response to a violation of this section is unresponsive or unavailable.

(i) A city or town shall enforce this section through its animal control officers or police officers in a manner consistent with the disposition provisions in section 21D of chapter 40.

**G. L. c. 140, § 174F. Confinement of animal in a motor vehicle causing exposure to extreme heat or cold; protection of animal by animal control or law enforcement officer or fire fighter; penalties**

(a) A person shall not confine an animal in a motor vehicle in a manner that could reasonably be expected to threaten the health of the animal due to exposure to extreme heat or cold.

(b) After making reasonable efforts to locate the motor vehicle's owner, an animal control officer, as defined in section 136A, law enforcement officer or fire fighter may enter a motor vehicle by any reasonable means to protect the health and safety of an animal. An animal control officer, law enforcement officer, fire fighter may enter the motor vehicle for the sole purpose of assisting the animal and may not search the vehicle or seize items found in the vehicle unless otherwise permitted by law.

(c) An animal control officer, law enforcement officer or fire fighter who removes or otherwise retrieves an animal under this section shall leave written notice in a secure and conspicuous location on or in the motor vehicle bearing the officer's or fire fighter's name, title and the address of the location where the animal may be retrieved. The owner may retrieve the animal only after payment of all charges that have accrued for the maintenance, care, medical treatment and impoundment of the animal.

(d) An animal control officer, law enforcement officer or fire fighter who removes or otherwise retrieves an animal from a motor vehicle under subsection (b), and the agency or municipality that employs the officer or fire fighter shall be immune from criminal or civil liability that might otherwise result from the removal.

(e) After making reasonable efforts to locate the motor vehicle's owner, a person other than an animal control officer, law enforcement officer or firefighter shall not enter a motor vehicle to remove an animal to protect the health and safety of that animal in immediate danger unless the person: (i) notifies law enforcement or calls 911 before entering the vehicle; (ii) determines that the motor vehicle is locked or there is no other reasonable means for exit and uses not more force than reasonably necessary to enter the motor vehicle and remove the animal; (iii) has a good faith and reasonable belief, based upon known circumstances, that entry into to the vehicle is reasonably necessary to prevent imminent danger or harm to the animal; (iv) remains with the animal in a safe location in reasonable proximity to the vehicle until law enforcement or another first responder arrives.

(f) A person who removes an animal from a motor vehicle pursuant to subsection (e) shall be immune from criminal or civil liability that might otherwise result from the removal.

(g)A violation of subsection (a) shall be a civil infraction punishable by a fine of not more than $150 for a first offense, by a fine of not more than $300 for a second offense and by a fine of not more than $500 for a third or subsequent offense.

(h) Nothing in this section shall preclude prosecution under section 77 of chapter 272.

(i) A city or town shall enforce this section through its animal control officers or police officers in a manner consistent with the disposition provisions in section 21D of chapter 40.

**G. L. c. 140, § 174G. Rules and regulations for commercial boarding or training kennels; investigations; inspections**

(a) The department shall promulgate rules and regulations for commercial boarding or training kennels, including those located at a private residence, which may include, but not be limited to, licensing, inspection, compliance and enforcement, use of best practices and operation, provider and staff to animal ratios, fire and emergency planning, injury reporting, group sizes and supervision, minimum housing and care requirements, indoor and outdoor physical facility requirements, utilities, body language interpretation, breed familiarity, dog handling, insurance, proper education and training of commercial boarding or training kennel staff, including, but not limited to, dog daycare staff, operational safety standards, risk management and consumer education and protection.

(b) (1) Commercial boarding or training kennels shall report to the licensing authority injuries to animals or people that occur on their premises and the department or licensing authority shall investigate all reports. The department shall develop a form for such reporting and a time frame for submitting a report after an injury. The form shall be available on the department's website for the public to report such injuries.

(2) The department shall make investigative reports of injuries publicly available on its website if the investigation results in the department bringing enforcement action against the kennel.

(c)(1) An inspection of a commercial boarding or training kennel to enforce the rules and regulations promulgated pursuant to subsection (a) may be done by the commissioner or an authorized inspector and shall take place between the hours of 7:00 a.m. and 7:00 p.m. unless an alternate time is mutually agreed upon by the inspector and the licensee. An authorized inspector may include, but shall not be limited to, an animal control officer, the mayor of a city, the select board of a town, the town manager of a town, the chief of police, the police commissioner of the city of Boston or another designated official. The licensee or an authorized agent of the licensee shall be present during the inspection. If a kennel regulated under this section is located at a private residence, only the areas of the residence that are used for kennel purposes or for the maintenance of kennel records shall be required to be available for inspection.

(2) If, in the judgment of the commissioner or an authorized inspector, a kennel is not being maintained in a sanitary and humane manner or if records have not been properly kept as required by law and in compliance with this section, the commissioner or authorized inspector shall, by order, depending on the severity of the offense, suspend the license for the kennel or issue to the licensee a written citation or notice which explains the noncompliant issue and requires the licensee to come into compliance within a reasonable, specified timeframe. If the licensee fails to come into compliance within the time period specified by the commissioner or authorized inspector, the commissioner or authorized inspector shall, by order, revoke the license for the kennel.

(3) Enforcement under paragraph (2) by an animal control officer or authorized inspector may be appealed within 21 days to the district court in the judicial district in which the kennel is maintained. Enforcement under said paragraph (2) by the commissioner may be appealed within 21 days to the division of administrative law appeals pursuant to chapter 30A.

**G. L. c. 140, § 174H. Feline declawing prohibited with exception to therapeutic purposes**

(a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Board”, the board of registration in veterinary medicine.

“Cat”, an animal of the taxonomic family Felidae.

“Declawing procedure”, an onychectomy, dactylectomy, phalangectomy or any other procedure that removes a portion of the paw or digit of a cat in order to remove a claw, including, but not limited to, a tendonectomy or any other procedure that cuts or modifies the tendon of the limb, paw or digit of a cat in order to prohibit the normal function of a claw or prevents the normal functioning of 1 or more claws; provided, however, that “declawing procedure” shall not include nail filing, nail trimming or the placement of temporary nail caps on 1 or more claws of a cat.

“Therapeutic purpose”, addressing, as a matter of medical necessity, an existing or recurring infection, disease, injury or abnormal condition in the claw, nail bed or toe bone that jeopardizes the afflicted cat’s health; provided, however, that “therapeutic purpose” shall not include cosmetic or aesthetic reasons or reasons of convenience in the keeping or handling of the cat.

(b) No person shall perform, or cause to be performed, a declawing procedure of a cat unless: (i) the declawing procedure is being performed by a veterinarian licensed under section 55 of chapter 112 for a therapeutic purpose; or (ii) the person who causes a declawing procedure to be performed is relying on the written opinion of a veterinarian licensed under said section 55 of said chapter 112 that such declawing procedure is required for a therapeutic purpose.

(c) (1) A veterinarian who performs a declawing procedure on a cat shall keep a record of the procedure for a period of 4 years after the last contact with the cat. The record shall include the name and address of the cat’s owner, the name and address of the person from whom payment is received for the procedure and a description of the cat, including, but not limited to: (i) the cat’s name, breed, date of birth, sex, color, markings and current weight; (ii) the date and time of the procedure; (iii) the reason the procedure was performed; and (iv) any diagnostic opinion, analysis or test result to support the diagnosis. The record shall be subject to audit by the board.
(2) Annually, not later than March 30, any person who performs a declawing procedure on a cat shall report the number of performed procedures to the board. The board shall maintain all notices received under this subsection for 4 years from the date of receipt.
(3) Records maintained under this subsection shall not be publicly disseminated and shall not be considered a public record as defined in clause Twenty-sixth of section 7 of chapter 4 or section 10 of chapter 66.

(d) Annually, not later than March 1, the board shall report to the joint committee on environment and natural resources on the number of cats that underwent a declawing procedure based on notices received under subsection (c).

(e) Whoever violates subsection (b) shall be punished by a fine of not more than: (i) $1,000 for a first offense; (ii) $1,500 for a second offense; and (iii) $2,500 for a third or subsequent offense.

(f) A veterinarian licensed under section 55 of chapter 112 who violates any provision of this section may be subject to disciplinary action under section 59 of said chapter 112 and 256 CMR 7.00.

(g) Nothing in this section shall preclude prosecution under section 77 of chapter 272.

(h) A city or town shall enforce this section through its animal control officers or police officers in a manner consistent with the disposition provisions of section 21D of chapter 40.

**G. L. c. 129, § 7. Entry on Premises**

For the purpose of inspecting or examining animals or the places where they are kept, the director, any of his agents or an inspector, duly qualified, may enter any building or part thereof or any enclosure or other place, and may examine or inspect such animals or places. Whoever prevents, obstructs or interferes with such director, agent, inspector or other person having like authority in the performance of any of his duties, or whoever hinders, obstructs or interferes with his making such inspection or examination, or whoever secretes or removes any animal, for the purpose of preventing it from being inspected or examined, shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than two months, or both.

**G. L. c. 129, § 9. Massachusetts Society for the Prevention of Cruelty to Animals; Animal Rescue League of Boston; agents; powers and duties**

The agents of the Massachusetts Society for the Prevention of Cruelty to Animals and the agents of the Animal Rescue League of Boston may visit all places at which neat cattle, horses, mules, sheep, swine or other animals are delivered for transportation or are slaughtered, any pet shop where animals, birds, fish or reptiles are sold, or exhibited, or for sale, any guard dog business, any hearing dog business and any stable where horses are kept for hire or boarded for a fee, or any licensed kennel where animals are boarded for a fee or any animal dealer licensed with the United States Department of Agriculture, for the purpose of preventing violations of any law and of detecting and punishing the same and such agents shall have the power to prosecute any such violation coming to their notice. Records of inspection made under authority of this section shall be filed with the office of the division of animal health, within the department of agriculture no later than three months after such inspection. Any person who prevents, obstructs or interferes with any such agent in the performance of such duties shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than two months, or both.

**G. L. c. 255, § 24. Domestic animals; care and custody**

Persons having proper charges due them for pasturing, boarding or keeping horses or other domestic animals which are brought to their premises or placed in their care by or with the consent of the owners thereof shall have a lien on such animals for such charges.

**G. L. c. 255, § 26. Enforcement**

A person who has a lien, which is not described in sections fourteen to twenty–two, inclusive, or in chapter two hundred and fifty–four, for money due to him on account of work and labor, storage, care and diligence, or money expended on or about personal property under a contract express or implied, if such money is not paid, in the case of a lien described in section twenty–four, twenty–five or twenty–five A within ten days, or in other cases within sixty days, after a demand in writing delivered to the debtor or left at his usual place of abode, if within the commonwealth, or mailed postpaid to him at his usual place of abode without the commonwealth, may bring a civil action in the superior court or in a district court within the jurisdiction of which the plaintiff resides or has his usual place of business to have the property sold to satisfy the debt.

**G. L. c. 90, § 22H. Safe transportation of animals**

No person shall transport an animal in the back of a motor vehicle in a space intended for a load on the vehicle on a public way unless such space is enclosed or has side and tail racks to a height of at least 46 inches extending vertically from the floor, the animal is cross tethered to the vehicle, the animal is protected by a secured container or cage or the animal is otherwise protected in a manner which will prevent the animal from being thrown or from falling or jumping from the vehicle. Whoever violates the provisions of this section shall be punished by a fine of not less than $50.

**G. L. c. 119, § 85. Department employees reporting animal cruelty, abuse or neglect; immunity from liability**

(a) Any employee of the department or person employed pursuant to a contract with the department, when acting in his professional capacity or within the scope of his or her employment, who has knowledge of or observes an animal whom he knows or reasonably suspects has been the victim of animal cruelty, abuse or neglect, may report the known or suspected animal cruelty, abuse or neglect to a police officer or a special state police officer appointed pursuant to section 57 of chapter 22C.

(b) The report may be made within 2 working days of receiving the information concerning the animal, by facsimile transmission or a written report or by telephone. In cases where an immediate response may be necessary in order to protect the health and safety of the animal, the report should be made by telephone as soon as possible.

(c) When 2 or more employees of the department are present and jointly have knowledge of known or reasonably suspected animal cruelty, abuse or neglect, and where there is agreement among them, a report may be made by 1 person by mutual agreement. Any reporter who has knowledge that the person designated to report has failed to do so may thereafter make the report.

(d) No person making such report shall be liable in any civil or criminal action by reason of such report if it was made in good faith. Any privilege established by sections 135A and 135B of chapter 112 or by section 20B of chapter 233, relating to confidential communications, shall not prohibit the filing of a report pursuant to this section.

(e) Nothing in this section shall impose a duty on the department to investigate known or reasonably suspected animal cruelty, abuse or neglect.

(f) Nothing in this section shall prevent the department, area office or subdivision from entering into an agreement, contract or memorandum of understanding with the entities that investigate reports of animal cruelty, abuse or neglect as described in section 57 of chapter 22C, to require such reports or to engage in training in identification and reporting of animal abuse, cruelty and neglect.

**G. L. c. 112, § 58B. Reports of suspected acts of cruelty to animals; veterinarians; immunity from liability; failure to report**

A veterinarian who, while in the normal course of business, observes an animal whom such veterinarian knows or reasonably suspects has been the victim of animal cruelty prohibited under sections 77 or 94 of chapter 272 shall report said suspected animal cruelty to a police officer or special state police officer appointed under section 57 of chapter 22C.

A veterinarian duly registered under section 55 who reports, in good faith and in the normal course of business, a suspected act of cruelty to animals prohibited under said section 77 or 94 of chapter 272 to a police officer or special state police officer appointed under said section 57 of said chapter 22C, shall not be liable in a civil or criminal action for reporting such act.

Any veterinarian who fails to report such an act of animal cruelty shall be reported to the board of registration in veterinary medicine.

**G. L. c. 239, § 14. Inspection of property for presence of abandoned animals**

Not more than 3 days after a property owner or a lessor knew or should have known that a property has been vacated as a result of summary process, the property owner, lessor or a designee shall inspect the property for the presence of abandoned animals.

If the property owner, lessor or a designee encounters an abandoned animal under this section or section 4, the property owner, lessor or a designee shall immediately notify an animal control officer as defined in section 136A of chapter 140, a police officer or other authorized agent of the presence and condition of the animal.

The property owner, lessor or designee who encounters an abandoned animal pursuant to this section shall not be considered the owner, possessor or person having the charge or custody of the animal under section 77 of chapter 272.

For the purposes of this section, an animal shall be considered abandoned if it is found on or in a property vacated as a result of summary process.

If the property owner, lessor or a designee fails to comply with this section, the lessor or property owner shall be subject to a civil penalty of not more than $500 for a first offense and not more than $1,000 for a second or subsequent offense. Funds collected under this section shall be deposited into the Homeless Animal Prevention and Care Fund established in section 35WW of chapter 10.

# Commonwealth v. Duncan, 467 Mass. 746 (2014)

**Primary Legal Issue:**

Whether the emergency aid exception to the warrant requirement under the Fourth Amendment of the U.S. Constitution and ALM Constitution Pt. 1, Art. XIV extends to police action undertaken to render emergency assistance to animals.

**Scope of the Emergency Aid Exception:**

The emergency aid exception permits warrantless entry into a home when police have an objectively reasonable basis to believe that someone inside is injured or in imminent danger of physical harm. The case addresses whether this exception also applies to animals.

**Public Policy and Legislative Framework:**

Massachusetts statutes reflect a strong public policy interest in preventing both intentional and neglectful cruelty to animals. The legislative framework includes criminalizing acts of cruelty and neglect, and specific provisions for the welfare of animals, particularly dogs.

**Application to Animals:**

The court considered whether the public interest in minimizing animal suffering and preventing cruelty justifies extending the emergency aid exception to animals. It was determined that, in appropriate circumstances, animals should be afforded the protection of the emergency aid exception.

**Requirements for Warrantless Entry:**

For the emergency aid exception to apply, two strict requirements must be met:

1. Objectively reasonable grounds to believe that an emergency exists.
2. Police conduct following entry must be reasonable under the circumstances.

**Additional Considerations for Animals:**

When applying the exception to animals, additional factors are relevant, including:

- Whether the animal's condition was caused by human abuse or neglect (stronger justification for entry).
- The species of the animal in need.
- The nature of the privacy interest at issue.
- Efforts made to obtain the property owner's consent prior to entry.
- The extent of the intrusion and any property damage.

**Case-Specific Facts:**

Police entered the defendant's yard without a warrant after receiving a report of deceased and emaciated dogs exposed to severe winter weather. The entry was made after unsuccessful attempts to contact the residents and was followed by the seizure of the animals.

**Conclusion:**

The court held that the emergency aid exception to the warrant requirement does extend to animals in appropriate circumstances, provided the entry is based on an objectively reasonable belief of an emergency and the police conduct is reasonable. The reasonableness of such searches must be determined on a case-by-case basis, considering the totality of the circumstances.

## Commonwealth v. Russo, 494 Mass. 356 (2024)

**SJC addressed several issues:**

**Interpretation of the Animal Cruelty Statute (ALM GL ch. 272, § 77):**

- The case addressed whether failing to follow a veterinarian's recommendation to euthanize a terminally ill pet, and instead bringing the pet home to die, constitutes a violation of the Massachusetts animal cruelty statute.
- *The statute prohibits, among other things, "knowingly and willfully authorizing or permitting an animal to be subjected to unnecessary torture, suffering or cruelty of any kind."*
- The legal issue centered on the required mental state for criminal liability under this provision, specifically the meanings of "knowingly" and "willfully."

**Definition and Application of "Knowingly" and "Willfully":**

- "Knowingly" was interpreted to require that the defendant was aware that her actions would subject the animal to unnecessary suffering.
- "Willfully" was interpreted to require that the defendant intended both the underlying action and its harmful consequences, i.e., intended for the animal to be subjected to unnecessary suffering.
- The court examined whether the evidence established that the defendant acted with the requisite intent.

**Probable Cause Standard:**

- The court considered whether the facts alleged in the complaint application established probable cause to believe that the defendant committed the offense.
- Probable cause requires reasonably trustworthy information sufficient to warrant a reasonable or prudent person in believing that the defendant has committed the offense, but speculation alone is insufficient.

**Application to the Facts:**

- The court found that the defendant sought medical care for the pet and, when advised that nothing could be done to alleviate the pet's pain except euthanasia, took the pet home to die.
- The evidence did not support a reasonable inference that the defendant intended for the pet to suffer unnecessarily.
- The court concluded that the Commonwealth failed to establish probable cause that the defendant acted with the required willful intent.

**Statutory Construction and Legislative Intent:**

- The court analyzed the plain language of the statute, its structure, and legislative intent, emphasizing that the heightened mental state in the final clause of the statute was deliberate.
- The court declined to extend the statute to criminalize the defendant's conduct in this case, noting the absence of precedent for such an interpretation.

**Conclusion:**

The dismissal of the criminal complaint was affirmed, as the defendant's conduct did not meet the statutory requirements for criminal animal cruelty under the facts presented.

## Commonwealth v. Adams, 495 Mass. 600 (2025)

**SJC addressed several issues:**

- **Exclusion of Expert Testimony:**

The trial court excluded expert testimony from a veterinary technician regarding the dog's pain response and "prey drive." The legal issue centered on whether this exclusion constituted an abuse of discretion or prejudicial error. The court held that the testimony was cumulative, as similar evidence had already been presented by other witnesses, and its exclusion did not prejudice the defendant.

- **Jury Instructions on Defenses:**

The defendant argued that the trial judge erred by not providing specific jury instructions on the defenses of bona fide discipline and defense of another animal. The legal issue was whether the instructions given adequately allowed the jury to consider these defenses. The court found that the instructions, which tracked the statutory language and model jury instructions, were sufficient to permit the jury to consider whether the defendant's actions were justified as bona fide discipline or in defense of another animal.

- **Standard for Animal Cruelty Conviction:**

The case addressed the requirement that the Commonwealth must prove beyond a reasonable doubt that the defendant intentionally and knowingly committed acts that were plainly of a nature to violate the animal cruelty statute (ALM GL ch. 272, § 77). The definition of "cruelty" was clarified as inflicting severe or unnecessary pain upon an animal without justifiable cause.

- **Appellate Review Standards:**

The decision clarified the standards for appellate review regarding the exclusion of expert testimony (abuse of discretion and prejudicial error) and the sufficiency of jury instructions (prejudicial error, considering the charge as a whole).

- **Guidance for Future Cases:**

The court suggested that, in future cases where bona fide discipline is raised, a supplemental instruction should clarify that an animal owner is not criminally liable for the use of force if it is reasonable and related to safeguarding or promoting the animal's welfare.

**Key Legal Holdings:**

- Exclusion of cumulative expert testimony is within the trial judge's discretion and does not constitute reversible error if the same information is otherwise before the jury.
- Jury instructions that track statutory and model language are sufficient if they allow the jury to consider the defendant's justifications.

The definition of cruelty requires the infliction of severe or unnecessary pain without justifiable cause, and the jury must find intentional and knowing conduct.

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Ordering dogs to be restrained; euthanizing unrestrained dogs, G. L. c. 140, § 167, page 36

***Dog Licenses***

License valid throughout state; removal of dog into another town or city, G. L. c. 140, § 146, page 32

Registration and licensing of dogs, G. L. c. 140, § 137, page 30

Surrender of license or tag for offenses against animals, G. L. c. 140, § 137D, page 31

***Dogs (Cruel Conditions/Tethering)***

Chaining or tethering dog; confinement; restrictions; penalty, G. L. c. 140, § 174E, page 36

Sale of under 8 weeks of age or on roadsides, etc.; restrictions; penalty, G. L. c. 140, § 141C, § 141D, page 32

***Drowning***

Death by drowning, G. L. c. 272, § 80E ½, page 12

Transporting mammals for purpose of euthanasia; putting animal to death by drowning prohibited, G. L. c. 131, § 19B, page 26

***Entry on Premises***

Entry on Premises, G. L. c. 129, § 7, page 41

***Horses***

Cutting bones or muscles to dock or set tail of horse; wound as evidence, G. L. c. 272, § 79A, page 9

Exhibiting horse with tail cut under Sec. 79A; affidavit as to cutting in state where not prohibited;

inspection, G. L. c. 272, § 79B, page 9

Police dogs and horses, willfully injuring, G. L. c. 272, § 77A, page 7

Selling, leading, or using horses not fit for work; forfeiture of auctioneer's license, G. L. c. 272, § 78, page 9

***Kennels***

Boarding Kennels/Ollie's Law, G. L. c. 140, §174G, page 39

Inspection of kennels; revocation, suspension and reinstatement of license; nuisance, G. L. c. 140, § 137C, page 31

Sale or other delivery of unlicensed dog by kennel licensee, G. L. c. 140, § 137B, page 31

***Larceny***

Larceny; general provisions and penalties, G. L. c. 266, § 30, page 18

***Liens***

Enforcement, G. L. c. 255, § 26, page 42

Lein for pasturing, boarding and keeping domestic animals, G. L. c. 255, § 24, page 42

***Poison***

Poison for rodents; placement where it may cause injury, G. L. c. 270, § 3A, page 20

***Reporting animal cruelty***

Animal cruelty, abuse or neglect; investigation, report, G. L. c. 19C, § 14 (Disabled Persons Protection Commission), page 23

Department employees reporting animal cruelty, abuse or neglect; immunity from liability, G. L. c. 119, § 85 (Department of Children and Families), page 44

Report of animal cruelty, abuse or neglect, G. L. c. 19A, § 42 (Department of Elder Affairs), page 21
Reports of suspected acts of cruelty to animals; veterinarians; immunity from liability; failure to report, G. L. c. 112, § 58B, page 45

***Service Dogs***

Physically handicapped persons with dog guides; public places or conveyances; charges or fares; penalties, G. L. c. 272, § 98A, page 15

***Sexual Abuse of Animals***

Sexual contact with animals, G. L. c. 272, § 77C, page 8

***Tethering***

Chaining or tethering dog; confinement; restrictions; penalty, G. L. c. 140, § 174E, page 36

***Traveling Wild Animal Acts***

Using Elephants, Bears, Primates, Giraffes, Big Cats prohibited, G.L. c. 131, § 19C, page 26

***Vacated Housing, inspection***

Inspection of property for presence of abandoned animals, G. L. c. 239, § 14, page 46

Inspection of property for presence of abandoned animals, G. L. c. 244, § 41, page 25

Inspection of vacated property for presence of abandoned animals, G. L. c. 186, § 30, page 24

***Vehicles***

Confinement of an animal in a motor vehicle causing exposure to extreme heat or cold; protection of an animal by animal control or law enforcement officer or fire fighter; penalties, G. L. c. 140, § 174F, page 38

Motor vehicles; striking, injuring or killing dogs or cats, G. L. c. 272, § 80H, page 12

Safe transportation of animals, G. L. c. 90, § 22H, page 43

*This compilation is based on available information, usually via the agency or organization's website, at the time of printing.*

## MASSACHUSETTS ANIMAL ORGANIZATIONS WITH LAW ENFORCEMENT AUTHORITY

The MSPCA and Animal Rescue League of Boston both have officers appointed by the colonel of the state police under G. L. c. 22C, § 57 to enforce the Massachusetts laws for the prevention of cruelty to animals.

### Massachusetts Society for the Prevention of Cruelty to Animals (MSPCA)

In the event of an emergency after hours, local city/ town police departments may be contacted.

Contact:

- To report suspected animal cruelty anywhere in Massachusetts please call (617) 522-6008 or (800) 628-5808, Monday – Friday, 9am – 5pm. When calling after hours, leave a brief message along with your name and the area code and phone number where you may be reached during normal business hours. MSPCA Law Enforcement Department voice mail will not be monitored during weekends, nights or holidays, and voice messages left will not be received until the next business day.
- Visit www.mspca.org/cruelty-prevention to file a complaint via email.

### Animal Rescue League of Boston (ARL)

Contact:

- Call (617) 426-9170 x110. Your calls are confidential, however, some information will be required to file a valid police report.
- Email cruelty@arlboston.org for suspected animal cruelty.

## MA DEPARTMENT OF AGRICULTURAL RESOURCES (MDAR)

**Division of Animal Health:**
The health and safety of the Commonwealth's domestic animals is the Division of Animal Health's primary responsibility. Through inspections, licensing, awareness, and education, the Division helps to ensure the general welfare of companion and food- producing animals across the state. When problematic situations develop, Animal Health staff work with the Department of Public Health, the Animal Rescue League of Boston, the MSPCA, local veterinarians, local health departments, municipal animal inspectors, and animal control officers to respond. Mounting a rapid response ensures that the fewest number of animals and animal owners are affected.

Programs within Animal Health include: pet shops, shelter/rescue, Massachusetts Animal Fund (includes animal control officer training).

MDAR also employs state animal inspectors. Inspectors can enforce applicable state laws and regulations, including the inspection of sheep farms and dairies. Animal inspectors can also conduct blood tests on breeding stock at piggeries as well as quarantine animals in the case of disease.

**Municipal Animal Inspectors:**
The MDAR Division of Animal Health appoints a municipal animal inspector (AI) for every city and town. According to their website, the primary duty of the AI has been rabies control in the domestic animal population. Municipal animal inspectors are also required to conduct one annual barn check for any livestock in the town or city. Primary concerns for inspections are defined as infectious disease outbreaks and public health hazards from products of farms. The third duty of the animal inspector is to check ear tag numbers and date of arrival of cattle from out of state and to report this information on the animal inspector's copy of the *Cattle and Llama Permit* which is furnished to the animal inspector by the Department of Agricultural Resources.

Contact:
- Call (617) 626-1700
- Visit www.mass.gov/orgs/massachusetts-department-of-agricultural-resources

For more information and to view the Municipal Animal Inspector qualifications and duties, please visit www.mass.gov/municipal-animal-inspector-program

## ANIMAL CONTROL OFFICERS (ACOS)

Each city or town is required to have an animal control officer (paid by the city or town). Animal control officers' statutory jurisdiction (MGL chapter 140 sections 136A-174H) relates only to dogs (and cats in some circumstances), though the ability for ACOs to respond to, or address any issues relating to other animals (such as farm animals or wildlife) is dependent upon what their city or town allows. An ACO's ability to respond to complaints of animal cruelty also varies by city or town, and may depend on whether or not the ACO has the status of special police officer. The department to which animal control reports varies by municipality and commonly includes: Select Board, Board of Health, or Police Department.

With the passage of the 2012 "animal control bill," MDAR has some oversight of ACOs. For example, MDAR can appoint an ACO if a municipality fails to do so. MDAR also runs the Massachusetts Animal Fund and trains and tests ACOs now that the law requires them to have training.

For a list of local city or town websites, please visit
www.mass.gov/lists/massachusetts-cities-and-towns.

For the Animal Control Officers Association of Massachusetts, please visit www.acoam.org.

www.mass.gov/info-details/aco-resource

## BOARDS OF HEALTH

Massachusetts has a decentralized governance structure where the 351 cities and towns are independently organized for the delivery of local public health services and operate autonomously from the Massachusetts Department of Public Health. Some Massachusetts communities have established public health districts to more effectively and efficiently deliver public health services. Massachusetts does not provide dedicated state funding to support local public health core operations.

The cities and towns, each with its own Board of Health, are responsible for assuring access to a comprehensive set of services defined by state law and regulations. Massachusetts local boards of health are charged with a complex set of responsibilities including enforcement of state sanitary, environmental, housing, and health codes. These include, but are not limited to:

- Protection of the food supply through inspections of restaurants and other food establishments;
- Inspections and permitting of septic systems, landfills, and other solid waste facilities;
- Health care and disease control, including timely reporting and response to communicable diseases, occupational health and safety violations, food poisoning, and rabies;
- Inspections of pools, beaches, camps, motels, and mobile home parks;
- Enforcement of state lead poisoning regulations and sanitary code in housing;
- Enforcing no-smoking laws;
- Developing, testing, and building awareness of emergency preparedness plans for a wide range of hazards; and
- A wide array of other responsibilities, including issuing burial permits, regulating pesticides, inspecting massage and tattoo parlor, issuing health reports, and more.

In addition to these responsibilities, some boards of health have resources that allow them to extend their role beyond those established through statute or regulation. For example, some boards of health manage school health programs; others partner with community-based organizations for community health improvement planning, policy and program development, and/or prevention activities using grants or other funding.

Contact: LocalRegionalPublicHealth@mass.gov

For information about the Massachusetts Association of Health Boards and a summary of Duties of Local Boards of Health in Massachusetts, please visit www.mahb.org and www.mass.gov/info-details/overview-of-local-public-health-in-massachusetts.

## BUILDING INSPECTOR

In general, the building inspector is responsible for ensuring the safety of all structures in the municipality, and is responsible for enforcing the
Mass State Building Code 780 CMR and all associated codes in association with the plumbing, gas, and electrical inspectors.

Massachusetts General Law c. 143, § 3 defines three titles for municipal building code enforcement officials: Inspector of Buildings, Building Commissioner, or Local Inspector — collectively referred to as building code enforcement officials.

The Inspector of Buildings or Building Commissioner is the highest ranking individual in the make-up of a building department. All other building officials within a building department's office structure are referred to as Local Inspectors according to the law (although cities and towns may have varied titles for these positions; i.e. assistant inspector, deputy commissioner, etc.).

For a complete list of city or town websites, please visit
www.mass.gov/lists/massachusetts-cities-and-towns.

## ELDER SERVICES

### Executive Office of Aging & Independence

The Executive Office of Aging & Independence provides quality aging-related resources, tools, and support through a network of regional non-profit agencies and municipal agencies across the state. The Agency partners with providers, caregivers, and the 1.7 million older adults in Massachusetts to help individuals live and thrive throughout the aging process. .

Contact:

- Email: information.resources@mass.gov
- Toll Free Number (800) 243-4636
- Toll Free Elder Abuse Hotline (800) 922-2275 (open 24 hours a day, 7 days a week)

For more information, please visit www.mass.gov/orgs/executive-office-of-aging-independence.

### Councils on Aging & Senior Centers

Councils on Aging are municipal entities that oversee local senior centers that provide programming, services, and support for older adults in their community. Each Council on Aging determines its own priorities based on local needs and resources, making adult community centers, sometimes called senior centers, a welcoming place for older adults who wish to remain independent in their community.

Altogether there are 350 Councils on Aging; all municipal agencies that provide support, local outreach, social and health services, advocacy, and resources to older adults, their families, and caregivers. Working together and often supported by a volunteer network, Councils on Aging and adult community centers serve as a link to older adults by providing important support services in the community. To find your local center, please visit www.mass.gov/info-details/find-your-local-council-on-aging

**Massachusetts Councils on Aging (MCOA)** (MCOA) is a nonprofit, membership association of the 350 municipal councils on aging and senior centers. COAs are the first stop on the continuum of care. MCOA supports the 1.7 million older adults, 60 and over in Massachusetts, to lead healthy, purposeful lives.

Contact: (413) 527-6425

For more information, please visit mcoaonline.co

## DISABLED PERSONS PROTECTION COMMISSION

The mission of the Disabled Persons Protection Commission is to protect adults with disabilities from the abusive acts or omissions of their caregivers through investigation oversight, public awareness, and prevention. The Disabled Persons Protection Commission (DPPC) operates a 24-hour Hotline to which citizens of the Commonwealth can report incidents of suspected abuse involving adults with disabilities.

Contact: (800) 426-9009 or 711 TTY

For more information, please visit dppcmass.gov.

## DOMESTIC VIOLENCE SERVICES

### Massachusetts Statewide Domestic Violence Organizations

- SafeLink - Statewide Domestic Violence: Call (877) 785-2020 or TTY (877) 521-2601
- Chat online: CasaMyrna.org/chat
- Deaf and hard-of-hearing callers can reach SafeLink via video relay service using the main number (877) 785-2020, or by TTY at (877) 521-2601.

For more information, please visit www.mass.gov/info-details/massachusetts-safelink-resources.

### Our Deaf Survivors Center

Contact:
- ODSC, Inc. video phone (VP) 9 AM – 5PM: (508) 426-2420
- 24/7 Deaf Hotline: (855) 812-1001

For emergencies: call 911
For more information, please visit www.odscma.org.

For a more complete list of the numerous domestic violence programs available nationwide and across Massachusetts, please visit www.mass.gov/service- details/domestic-violence-programs.

### Temporary pet care in domestic violence situations

The following organizations may be able to help care for pets and/or people leaving domestic violence situations. For updates, see www.mspca.org/animal_ protection/pets-and-violence.

Elizabeth Freeman Center in partnership with Berkshire Humane Society and HAVEN SafePet Program
(413) 447-7878 ext 140
berkshirehumane.org/program/safepet

MSPCA-Angell Safe Pet program (617) 522-7400

Womanshelter/Compañeras Holyoke, Mass.
(877) 536-1628

## CHILD & FAMILY SERVICES

The Department of Children and Families (DCF) works in partnership with families and communities to keep children safe from abuse and neglect. In most cases, DCF is able to provide support and services to keep children safe with parents or family members. When necessary, DCF provides foster care or finds new permanent families for children through kinship, guardianship, or adoption. DCF also supports young adults, age 18-22, who are transitioning from DCF custody to independent living.

Contact:

- Main: (617) 748-2000 (8:45am - 5:00pm, M-F)
- Auto Attendant: (617) 748-2400 (8:45am – 5:00pm, M-F)
- Child-at-Risk Hotline: (800) 792-5200
  (Open 24 hours to report child abuse and neglect)

To find DCF in your area, please visit
www.mass.gov/orgs/massachusetts-department-of-children-families/ locations.

## LAW ENFORCEMENT

**Environmental Police Officers (EPOs)**
See under WILDLIFE on page 61.

**State Police**
The state police protect all residents and visitors to the Commonwealth. They regularly partner with local, state, and federal law enforcement agencies on investigations, operations, and training to make Massachusetts a safer place for all.

Contact:

- Call (508) 820-2300. Operator available M-F 8 a.m.–5 p.m. Please call 911 for emergencies.

For more information about the State Police, please visit www.mass.gov/orgs/massachusetts-state-police.

**District Attorneys**
For a complete directory of District Attorney Offices, please visit www.mass.gov/lists/directory-of-district- attorney-offices.

**Attorney General**
The Massachusetts Attorney General's Office is an advocate and resource for the people of Massachusetts in many ways, including protecting consumers, combating fraud and corruption, investigating and prosecuting crime, and protecting the environment, workers, and civil rights.

Contact:

Boston (617) 727-2200
New Bedford (508) 990-9700
Springfield (413) 784-1240
Worcester (508) 792-7600

For more information regarding the Attorney General's Office, please visit www.mass.gov/orgs/office-of-the-attorney-general.

**FBI/National Incident Based Reporting System** In 2016, the FBI approved the recommendation to collect animal cruelty crime data in the National Incident Based Reporting System (NIBRS).

To learn more about NIBRS and how to report, please visit www.fbi.gov/services/cjis/ucr/nibrs.

## VETERINARY ASSISTANCE/FORENSICS

The body of dead animals is evidence and may be a source of additional evidence through post-mortem examination (necropsy). This should be done by a board-certified pathologist or specialist in forensics.

**MSPCA-Angell Animal Medical Center**
Angell Animal Medical Center laboratory accepts submissions for necropsy, cytology, histopathology, and clinical pathology testing.

Angell Animal Medical Center 350 South Huntington Ave., Boston, MA 02130
Open Mondays through Saturdays (including all holidays): 7:00am – 5:30pm
Contact: (617) 541-5014 or pathology@angell.org

For more information, please visit www.mspca.org/ angell_services/pathology-service.

**Cummings Veterinary Medical Center**
The Cummings Veterinary Medical Center team are board-certified specialists who perform necropsies and biopsies, provide diagnostic interpretation and comprehensive pathology reports, as well as provide consults and second opinions on outside cases.

Veterinary Diagnostic Laboratory Cummings School of Veterinary Medicine at Tufts University
200 Westboro Rd., North Grafton, MA 01536
Contact: (508) 887-4800

For more information, please visit vet.tufts.edu/veterinary-diagnostic-laboratory.

**Forensic Veterinary Investigations, LLC**
FVI provides veterinary forensics including necropsies, projectile recovery, crime scene investigation, and forensic anthropology.

Contact: Call (844) 6.SCIENCE

For more information, please visit www.vetinvestigator.com.

**Connecticut Veterinary Medical Diagnostic Laboratory, University of Connecticut**
The Connecticut Veterinary Medical Diagnostic Laboratory (CVMDL) at the University of Connecticut is dedicated to providing top quality diagnostic services to our clients, who are comprised of veterinarians, members of the agricultural industry, owners of companion, zoo, and aquatic animals, stewards of Connecticut wildlife, and residents of Connecticut, New England, and beyond.

Connecticut Veterinary Medical Diagnostic Laboratory Department of Pathobiology and Veterinary Science 61 North Eagleville Rd., U-3089
Storrs, CT 06269-3089
Contact: (860) 486-3738 or CVMDL@uconn.edu

For more information, please visit cvmdl.uconn.edu/index.php.

**New Hampshire Veterinary Diagnostic Laboratory, University of New Hampshire**
The New Hampshire Veterinary Diagnostic Laboratory (NHVDL) works at the junction of animal health, public health, environmental health, and economic health. The NHVDL will provide accessible, timely, and accurate diagnostic services for the NH Department of Agriculture Markets & Foods (NHDAMF) and to our veterinary clients, farmers, public health, wildlife, and other relevant state, regional, and federal agencies.

New Hampshire Veterinary Diagnostic Laboratory 21 Botanical Lane, Durham, NH 03824
Contact: (603) 862-2726 or nh.vdl@unh.edu

For more information, please visit nhvdl.unh.edu.

## WILDLIFE SERVICES

**Tufts Wildlife Clinic at Cummings Veterinary Medical Center**
Tufts Wildlife Clinic is comprised of the latest diagnostic, medical, and surgical capabilities to house and treat a broad range of sick and injured native wildlife. PLEASE NOTE: Tufts Wildlife Clinic is not able to rehabilitate rabies-vector species, but will humanely euthanize these animals if they are brought to them.
Tufts Wildlife Clinic
Bernice Barbour Wildlife Medicine Building
Cummings School of Veterinary Medicine at Tufts University
50 Willard St., North Grafton, MA 01536
Contact: (508) 839-7918

For more information, please visit vet.tufts.edu/tufts-wildlife-clinic.

**New England Wildlife Center**
New England Wildlife Center (NEWC) is a non-profit, care-based science education organization. They provide critical veterinary treatment to sick, injured, and orphaned wildlife in need.

New England Wildlife Center 500 Columbian Street, South Weymouth, MA
02190Contact: (781) 682-4878

For more information, please visit www.newildlife.org.

**Licensed Wildlife Rehabilitators in Massachusetts**
If an animal is in need of rehabilitation, use the webpage below to find a licensed wildlife rehabilitator near you. Many rehabilitators specialize in treating certain species or categories of animals, and not all rehabilitators may be able to accept every injured animal.

www.mass.gov/service-details/find-a-wildlife-rehabilitator

**Environmental Police**
Environmental Police Officers, also known as Game Wardens, Conservation Officers, or Natural Resource Officers, enforce fish and game laws, including the commercial and recreational harvest of the living marine resources along our coastline. This is the foundation of the law enforcement mission of the Environmental Police. Over time, responsibilities have grown and evolved to include the enforcement of a much greater and broader variety of laws and regulations.

Environmental Police Officers are involved in other components of environmental law enforcement, including the investigation of stolen boats, all-terrain vehicles, and snowmobiles. Officers patrol the Commonwealth's forests and parks for the Division of State Parks and Recreation. The Environmental Police, as members of the Environmental Crimes Strike Force, investigate criminal violations of the Commonwealth's environmental laws and regulations in conjunction with the Massachusetts Department of Environmental Protection and the State Office of the Attorney General.

Contact: (800) 632-8075 (Emergency 24/7 Statewide Dispatch)

For more information, please visit www.mass.gov/ orgs/massachusetts-environmental-police.

**Division of Fisheries and Wildlife (MASSWILDLIFE)** MassWildlife is responsible for the conservation of freshwater fish and wildlife in the Commonwealth, including endangered plants and animals.
Contact: (508) 389-6300 or Mass.Wildlife@mass.gov
For more information, please visit www.mass.gov/ orgs/division-of-fisheries-and-wildlife.

**Friends of Cape Wildlife – Wildlife Hotline**
The Wildlife Hotline is a resource to provide helpful information to the public who have encountered wildlife in distress.

Contact: (508) 375-3700 (Wildlife Hotline)

For more information, please visit www.friendsofcapewildlife.org.

## MARINE MAMMALS

**International Fund for Animal Welfare (IFAW)** IFAW's worldwide marine mammal research and rescue program is based in Yarmouth Port and is part of a regional network in the Northeast authorized by National Oceanic and Atmospheric Administration Fisheries to respond to strandings of whales, dolphins, and seals, under the provisions of the federal Endangered Species Act and Marine Mammal Protection Act.

Contact: (508) 744-2000 or info@ifaw.org

Report a marine mammal stranding: 508-743-9548 (Cape Cod or southeastern MA)

For more information, please visit www.ifaw.org/campaigns/strandings.

**New England Aquarium**
The New England Aquarium responds to calls about distressed sea turtles.

Sea Turtle Rescue Phone Numbers:

- From Boston to the New Hampshire-Maine border: 617-973-5247.
- South Shore, Cape Cod, and the Islands, call the Wellfleet Bay Wildlife Sanctuary at 508-349-2615 x6104. For more information on who to call to help other stranded species, please visit www.neaq.org/conservation-and-research/studying-and-protecting/sea-turtle-rescue/animal-rescue.

**Division of Marine Fisheries, Massachusetts**
The Division of Marine Fisheries manages the state's commercial and recreational saltwater fisheries and oversees other services that support the marine environment and fishing communities.

Contact: (617) 626-1520 or marine.fish@mass.gov

For more information, please visit www.mass.gov/ orgs/division-of-marine-fisheries.

## LAWS AND LEGISLATION

Massachusetts state legislature (text of laws, pending legislation, etc.)
malegislature.gov

Commonwealth of Massachusetts website, Massachusetts law about animals (a compilation of laws, regulations, cases and web sources on animal law) .mass.gov/info-details/massachusetts-law-about-animals

Commonwealth of Massachusetts website, Massachusetts city and town ordinances and bylaws:
mass.gov/guides/massachusetts-city-and-town- ordinances-and-bylaws