

In Need of Paw-sitive Change: Improving
Iowa’s Animal Cruelty Protections

Adele J. Raymer*

ABSTRACT: Animal welfare is an important issue that must be addressed for moral reasons and to further human interests. Animal cruelty in America is regulated primarily at the state level, and various state legislatures use different strategies to promote animal welfare. These methods include cross- and veterinary-reporting laws, animal abuser registries, and humane education programs, among others. Iowa’s current animal protections do not provide adequate defense for animals in Iowa. To promote effective animal welfare in Iowa, the State should implement methods used in other states. Specifically, Iowa can improve its animal cruelty protections by using animal abuser registries, creating reporting laws, improving its current provisions under chapter 717B, and mandating humane education.

INTRODUCTION 1894

I. BACKGROUND 1895

 A. THE ARGUMENT FOR ANIMAL WELFARE 1895

 1. Animal Welfare in Nineteenth-Century America 1896

 2. The Connection Between Violence Toward Animals
 and Humans 1898

 i. Serial Killers and Mass Shooters 1898

 ii. Domestic Abuse 1899

 iii. Hoarding and Neglect 1901

 B. ANIMAL CRUELTY LAWS IN AMERICA 1902

 1. Reporting Laws 1902

 i. Cross-Reporting Laws 1903

 ii. Veterinary-Reporting Laws 1903

 2. Animal Abuser Registries 1905

 3. Humane Education 1908

 C. ANIMAL CRUELTY LEGISLATION IN IOWA 1909

* J.D. Candidate, The University of Iowa College of Law, 2025; B.A., History, Political Science, St. Olaf College, 2022.

II. WHAT ARE THE PROBLEMS WITH CURRENT ANIMAL CRUELTY PROTECTIONS IN IOWA?	1912
A. WHY IOWA NEEDS INCREASED ANIMAL CRUELTY PROTECTIONS	1912
B. WHERE THE IOWA PROTECTIONS ARE WEAK	1913
1. Problems with Current Chapter 717B Provisions	1913
2. Lack of Reporting Laws	1914
3. Lack of an Animal Abuser Registry	1915
4. Non-Mandatory Humane Education Programs	1915
III. HOW IOWA CAN IMPROVE ITS ANIMAL CRUELTY PROTECTIONS	1916
A. UPDATING IOWA'S CHAPTER 717B LANGUAGE	1916
B. CREATING REPORTING LAWS	1917
C. CREATING AN ANIMAL ABUSER REGISTRY	1918
D. IMPLEMENTING HUMANE EDUCATION	1919
CONCLUSION	1919

INTRODUCTION

In Carroll County, Iowa, ninety-six dogs, four ponies, two donkeys, and a steer were found on a property in October 2023 in a condition “that was absolutely horrific.”¹ Over fifty dogs were trapped in “a feces and trash-filled mobile home,” some of which were even stuck “inside the walls and in crawl spaces” of the structure.² Some of the other animals on the property were found in a storm cellar, and others were found in a barn.³ The property was a scene of “unimaginable suffering,”⁴ and according to rescuers from the Animal Rescue League of Iowa (“ARLI”), this travesty was “just the latest in a string of emergency, large-scale rescues” involving animal victims in Iowa.⁵

A few months prior to the Carroll County rescue, in May 2023, 199 dogs were killed at a puppy mill in West Point, Iowa, called Stonehenge Kennel.⁶

1. *Nearly 100 Dogs Rescued, Most Trapped Inside Mobile Home*, ANIMAL RESCUE LEAGUE IOWA, INC. (Oct. 19, 2023), <https://www.arl-iowa.org/news/news/nearly-100-dogs-rescued-most-trapped-inside-mobile-home> [https://perma.cc/PD52-EJEQ]. Another source reported that there were also around fifty goats on this property. KCCI, *Over 100 Animals Rescued from Property in Carroll County, IA*, KTIV.COM (Oct. 17, 2023, 5:37 PM), <https://www.ktiv.com/2023/10/17/over-100-animals-rescued-property-carroll-county-ia> [https://perma.cc/9L7R-4CL4].

2. *Nearly 100 Dogs Rescued, Most Trapped Inside Mobile Home*, *supra* note 1.

3. *Id.*

4. *Id.*

5. *Id.*

6. *199 Dogs Were Killed at Iowa Puppy Mill in ONE Day*, AM. SOC'Y FOR PREVENTION CRUELTY TO ANIMALS (May 1, 2023), <https://www.asPCA.org/news/199-dogs-were-killed-iowa-puppy-mill>.

The 199 dogs were euthanized in a single day.⁷ Officials report that over the eight years preceding this mass killing, many other dogs—likely over one hundred—had been found at Stonehenge Kennel “with bloody wounds, hair loss, crusty eyes or ears, lameness, swollen areas and other unacceptable conditions.”⁸ The owner of Stonehenge Kennel was suspended for less than a month for his crimes and is still a licensed animal breeder.⁹

These two scenes of suffering and neglect sound like something out of a horror movie; however, these are real-life occurrences that were recently discovered in Iowa. These instances of animal cruelty are just a few of many, demonstrating that animal cruelty is a real problem in Iowa and that the State is not doing enough to combat crimes against animals.

This Note argues that Iowa should implement stronger legislative protections in order to fight animal cruelty. Part I provides background information and discusses the importance of animal protection laws and how they are currently being implemented across various states. It also discusses the current animal cruelty legislation in Iowa specifically. Next, Part II explores why Iowa's animal cruelty laws are insufficient as they are currently written and enforced. Finally, Part III proposes that Iowa update its animal cruelty protections by adopting an animal abuser registry, requiring cross and veterinary reporting, mandating humane education programs, and implementing stricter punishments for animal abuse offenders.

I. BACKGROUND

This Part will begin by discussing why animal cruelty is an important issue and why it must be addressed. Next, this Part will discuss the measures various states are taking to combat animal cruelty. Lastly, this Part will end with an exploration of Iowa's current animal cruelty protections.

A. THE ARGUMENT FOR ANIMAL WELFARE

*“Boys stone a frog in sport, but the frog dies in earnest.”—Bion*¹⁰

Concern for the humane treatment of animals stems from the recognition that animals are living beings who should be respected simply because they exist.¹¹ Animal rights advocates, philosophers, and scholars argue that “[i]n

mill-one-day [https://perma.cc/V6PJ-P3TT]; THE HUMANE SOC'Y OF THE U.S., THE HORRIBLE HUNDRED 2023, at 7 (2023), https://www.humanesociety.org/sites/default/files/docs/HSUS_Horrible-Hundred-2023.pdf [https://perma.cc/6GPg-CPBK].

7. THE HUMANE SOC'Y OF THE U.S., *supra* note 6, at 7.

8. *Id.*

9. *Id.*; THE HUMANE SOC'Y OF THE U.S., THE HORRIBLE HUNDRED 2024, at 9 (2024), https://www.humanesociety.org/sites/default/files/docs/HSUS_Horrible-Hundred-2024.pdf [https://perma.cc/g89L-EUYW].

10. D Thomas, *Laboratory Animals and the Art of Empathy*, 31 J. MED. ETHICS 197, 201 (2005).

11. Bernd Ladwig, *Do Animals Have Rights?*, ANIMALS 7 (Mar. 31, 2023), https://pmc.ncbi.nlm.nih.gov/articles/PMC10093145 [https://perma.cc/3PY4-7979].

order to have a morally relevant interest, an animal must only be sentient.”¹² Animals are beings “with a life of their own, which for each of them is the only one they have.”¹³ In other words, animals deserve to be treated fairly because they are alive, and society should care about protecting them because it is the right and moral thing to do.

Although many people would agree that animal cruelty is wrong for moral reasons, this argument alone has not inspired society to protect animals. Beyond the moral argument for animal rights, a concept that has driven the creation of animal cruelty protections over time has been the connection between animal violence and human violence.¹⁴ This is the idea that violence toward animals is an indicator of potential violence toward humans.¹⁵ Ideally, animal protections would be implemented simply because animals deserve to be treated with respect; the incentive for humans to support animal rights in order to protect themselves is important in helping spur change in animal protection laws. The moral argument, combined with the idea of human interest, has been a strong influence in creating change for animal rights in the past.¹⁶ The next Section will provide background on the history of the role of human interest in protecting animals in America.

1. Animal Welfare in Nineteenth-Century America

Animal cruelty protections first began to take hold in America during the nineteenth century,¹⁷ when groups dedicated solely to the welfare of animals, such as the American Society for the Prevention of Cruelty to Animals and the American Humane Education Society, came into existence.¹⁸ However, just as importantly, other groups working toward various types of social change also advocated for animal rights as an additional part of their missions.¹⁹ For example, activist groups that also supported the animal rights movement included the Woman’s Christian Temperance Union, which primarily advocated

12. *Id.* Many religions throughout time, such as Jainism, Hinduism, and Buddhism have recognized that kindness toward animals is important. E. Szűcs, R. Geers, T. Jezierski, E.N. Sossidou & D.M. Broom, *Animal Welfare in Different Human Cultures, Traditions and Religious Faiths*, 25 *ASIAN-AUSTL. J. ANIMAL SCI.* 1499, 1500 (2012).

13. Ladwig, *supra* note 11, at 7 (“To recognize [animals] as holders of rights would mean to respect them as ends instead of seeing them merely as means.”).

14. See Janet M. Davis, *The History of Animal Protection in the United States*, *ORG. AM. HISTORIANS* (2024), <https://www.oah.org/tah/november-2/the-history-of-animal-protection-in-the-united-states> [<https://perma.cc/2MYM-WACW>].

15. See Olivia S. Garber, Note, *Animal Abuse and Domestic Violence: Why the Connection Justifies Increased Protection*, 47 *U. MEM. L. REV.* 359, 365–66 (2016).

16. See Davis, *supra* note 14.

17. Tara Kibler, *The Elephant in the Room: Animal Welfare in the United States*, *HEINONLINE: BLOG* (Dec. 10, 2020), <https://home.heinonline.org/blog/2020/12/the-elephant-in-the-room-animal-welfare-in-the-united-states> [<https://perma.cc/FK6B-858R>].

18. Davis, *supra* note 14.

19. See *id.*

for banning alcohol, and The Bands of Hope, which primarily advocated for child welfare.²⁰

The reason that various social movements during the nineteenth century also supported animal welfare was because animal rights activists argued that how society treats animals is “a barometer for human morality” and “that creaturely kindness [is] a marker of advanced civilization.”²¹ This connection between animal welfare and morality led the animal rights movement to become tied to other societal advocacy.²² For example, supporters of the temperance movement “stressed animal kindness as a moral complement to sobriety” and noted that those who abused alcohol were often violent toward not only their families but also their animals, specifically their dogs and horses.²³ Similarly, in the abolition movement, activists working to end slavery argued that people who kept slaves also tended to beat their animals.²⁴ Additionally, anti-war advocates protested the American Civil War and conflicts abroad by arguing that animals, especially horses, were subjected to unfair suffering in wars.²⁵

Yet another important social movement connected to animal welfare was the movement to improve living conditions in rapidly urbanizing areas. In the nineteenth century and into the early twentieth century, the living conditions in American cities, especially for members of the lower classes, were often abysmal.²⁶ As a part of improving these conditions, reformers worked to create humane shelters that could control stray dogs in the area.²⁷ Although dogs were occasionally euthanized at these shelters, there was a focus on using the least painful methods possible, such as using gas, rather than previous practices of shooting or beating the animal to death.²⁸

20. *Id.*; see also *Reform Movements in America*, ST. HIST. SOC'Y IOWA, [https://iowa.minisisinc.com/scripts/mwimain.dll/144/PRIMARY_SOURCES/WEB_PS_DET?COMMANDSEARCH&NOMSG=\[IOWA_ROOT\]no-record-primary-sources.html&EXP=PS_SOURCE_TITLE%2520%22Reform%20Movements%20in%20America%22](https://iowa.minisisinc.com/scripts/mwimain.dll/144/PRIMARY_SOURCES/WEB_PS_DET?COMMANDSEARCH&NOMSG=[IOWA_ROOT]no-record-primary-sources.html&EXP=PS_SOURCE_TITLE%2520%22Reform%20Movements%20in%20America%22) [<https://perma.cc/66ZZ-3FZE>] (mentioning the role of morality in reform and providing information on various movements in Iowa).

21. Davis, *supra* note 14. See generally Claire Priest, *Enforcing Sympathy: Animal Cruelty Doctrine After the Civil War*, 44 LAW & SOC. INQUIRY 136 (2019) (discussing how animal cruelty laws developed in nineteenth century America).

22. Davis, *supra* note 14.

23. *Id.*

24. *Id.*

25. *Id.*

26. *Cities During the Progressive Era*, LIBR. CONG., <https://www.loc.gov/classroom-materials/united-states-history-primary-source-timeline/progressive-era-to-new-era-1900-1929/cities-during-progressive-era> [<https://perma.cc/EWM9-MRX7>].

27. Davis, *supra* note 14; see Livia Gershon, *The 19th Century War on Dogs*, JSTOR DAILY (Apr. 8, 2018), <https://daily.jstor.org/the-19th-century-war-on-dogs> [<https://perma.cc/7XFK-PQUY>]. In New York City, officials paid individuals who captured and killed dogs in a bounty and ransom system. *Id.*

28. Davis, *supra* note 14.

The animal rights movement developed over time in America and did so because of concepts of morality and its impacts on human welfare.²⁹ The argument that animal cruelty was connected to other types of violence, especially violence toward humans, was integral in bringing about societal reforms during the nineteenth century, including increasing support for animal rights.³⁰

2. The Connection Between Violence Toward Animals and Humans

After the nineteenth century, society continued to recognize the connection between violence toward animals and violence toward humans.³¹ Society now has data-driven proof of the link and has connected violence toward animals and violence toward humans in cases of serial killers and mass shooters, domestic abuse, as well as in cases of hoarding and neglect.

i. Serial Killers and Mass Shooters

The connection between animal cruelty and violence against humans is probably best known in the cases of serial killers and mass shooters.³² Many famous murderers abused animals before they eventually “graduat[ed]” to killing humans.³³ A study from 2003 indicates that at least twenty-one percent of convicted serial killers admitted to abusing animals—typically through torture—when they were children.³⁴ Although the 2003 study identified twenty-one percent, other studies claim that number could be much higher.³⁵ Studies also suggest that school shooters tend to engage in animal torture

29. See *id.*

30. See Priest, *supra* note 21, at 137, 145–47.

31. *The Link Between Cruelty to Animals and Violence Toward Humans*, ANIMAL LEGAL DEF. FUND, <https://aldf.org/article/the-link-between-cruelty-to-animals-and-violence-toward-humans-2> [<https://perma.cc/6LJP-PK2Z>].

32. See Garber, *supra* note 15, at 363–71.

33. Jane Dalton, *The Link Is Established Between Serial Killers and Animal Cruelty*, INDEPENDENT (Aug. 2, 2019, 12:23 PM), https://www.independent.co.uk/news/long_reads/domestic-violence-animal-cruelty-abuse-neglect-murder-children-dogs-ago18071.html [<https://perma.cc/A3LQ-HTKW>]; see *Small Animals Were the First Victims of Dahmer, Bundy, and Other Killers*, PETA, <https://www.peta.org/features/dahmer-bundy-and-other-killers-who-hurt-animals> [<https://perma.cc/GZT2-Q2Z8>] (listing serial killers and mass shooters that abused animals, including David Berkowitz, Ted Bundy, Nikolas Cruz, Jeffrey Dahmer, Edmund Kemper, and Dennis Rader).

34. Terence Leary, Larry Southard, Joe Hill III & John Ashman, *The Macdonald Triad Revisited: An Empirical Assessment of Relationships Between Triadic Elements and Parental Abuse in Serial Killers*, 19 N. AM. J. PSYCH. 627, 629 (2017). A popular theory developed by a psychiatrist, J.M. Macdonald, in the 1960s was that cruelty to animals, fire setting, and bed-wetting were signs that a child would grow up to be violent or sociopathic. *Id.* at 628–29.

35. Danielle K. Campbell, Note, *Animal Abusers Beware: Registry Laws in the Works to Curb Your Abuse*, 48 VAL. U. L. REV. 271, 281–83 (2013); see Arnold Arluke & Eric Madfis, *Animal Abuse as a Warning Sign of School Massacres: A Critique and Refinement*, 18 HOMICIDE STUD. 7, 12 (2014) (estimating that ninety percent of sadistic serial killers abused animals in their youth). It is impossible to accurately measure this type of data given the inability to capture all serial killers and because it is possible that they may lie about abusing animals. See *id.*

before switching to violence toward humans.³⁶ A study from 2014 shows that forty-three percent of school shooters have a prior history of animal cruelty.³⁷ In other words, data shows that animal cruelty is a common behavior among criminals who are responsible for the injuries and deaths of large numbers of people.

The connection between murderers and animal cruelty has played a role in American law enforcement since the mid-twentieth century.³⁸ For example, animal cruelty has been a red flag that the Federal Bureau of Investigation (“FBI”) looks for when profiling criminals.³⁹ Since 2016, the FBI has been specifically tracking animal cruelty in its National Incident-Based Reporting System in hopes that it will help them catch dangerous criminals.⁴⁰ Law enforcement recognizes that animal cruelty is an important indicator of violence toward humans.

ii. Domestic Abuse

Violence toward animals often goes hand in hand with domestic abuse.⁴¹ Scholars note that “[w]here there is violence against a spouse, child, or animal within a home, the violence is rarely limited to just one form of abuse and one type of victim.”⁴² A 2017 study of domestic abuse survivors found that “[seventy-five percent] of participants experienced their partner threatening a companion animal” and “[sixty-six percent] experienced their partner harming a companion animal.”⁴³ In the same study, researchers also found that “[sixteen percent of survivors] experienced an animal having been neglected, and [eleven percent] reported an animal having been killed (not

36. See Arluke & Madfis, *supra* note 35, at 12; Marc Levin, *We Need to Talk About Animal Cruelty and Mass Shooters*, TIME (June 29, 2022, 7:00 AM), <https://time.com/6191947/mass-shootings-animal-cruelty> [<https://perma.cc/7KCG-HPZG>]; William Wan, Kevin Sullivan, David Weingrad & Mark Berman, *Florida Shooting Suspect Nikolas Cruz: Guns, Depression and a Life in Trouble*, WASH. POST (Feb. 15, 2018), <https://www.washingtonpost.com/news/morning-mix/wp/2018/02/15/florida-shooting-suspect-nikolas-cruz-guns-depression-and-a-life-in-free-fall> (on file with the *Iowa Law Review*).

37. Arluke & Madfis, *supra* note 35, at 12, 17; Levin, *supra* note 36; see, e.g., Wan et al., *supra* note 36.

38. See Garber, *supra* note 15, at 365–66.

39. *Id.*

40. *Tracking Animal Cruelty: FBI Collecting Data on Crimes Against Animals*, FBI (Feb. 1, 2016), <https://www.fbi.gov/news/stories/-tracking-animal-cruelty> [<https://perma.cc/H3QH-R4KR>].

41. See *The Link Between Cruelty to Animals and Violence Toward Humans*, *supra* note 31.

42. Garber, *supra* note 15, at 362.

43. Elizabeth A. Collins et al., *A Template Analysis of Intimate Partner Violence Survivors' Experiences of Animal Maltreatment: Implications for Safety Planning and Intervention*, 24 VIOLENCE AGAINST WOMEN 452, 459 (2018).

including hunting).⁴⁴ The data show that domestic abuse and violence against companion animals are heavily correlated.

Additionally, some abusers may utilize violence toward animals in order to inflict harm on a human victim.⁴⁵ For example, someone who is experiencing abuse in the home may be very attached to their pet, and the abuser could use this knowledge to inflict pain on the animal for the ultimate purpose of emotionally harming the human victim.⁴⁶ Furthermore, many abuse victims do not leave the abusive environment because they are unwilling to leave their pet behind.⁴⁷ Not all shelters accept pets, and some victims of domestic abuse may prefer to endure the abuse at home rather than leave their pet behind.⁴⁸

Animal abuse occurring in the home may also perpetuate a cycle of violence.⁴⁹ A child who experiences violence in the home is more likely to begin abusing animals themselves as they become accustomed to the abusive behavior and believe that it is how people are supposed to act.⁵⁰ Scholars have noted that “[t]he mechanisms by which witnessing violence may lead to perpetrating violence involve desensitization, decreased empathy, learned maladaptive coping mechanisms and other learned behaviors, and unresolved feelings of anger, fear, and resentment.”⁵¹ Additionally, “[i]n an attempt to destroy [their] affectionate bond with the pet and rid [them]self of the resulting pain, [a] child may actually mimic the witnessed animal abuse,” thereby becoming an abuser themselves.⁵² Witnessing animal abuse as a child can also lead to a variety of mental health issues, specifically anxiety and depression, which can be harmful to a child’s mental and emotional development.⁵³

44. *Id.* It is difficult to measure exactly how connected animal abuse is with domestic abuse, given that survivors of domestic abuse do not always come forward about their experiences. *Id.* at 469–70.

45. *Id.* at 455.

46. The authors note that “many survivors have strong bonds with companion animals that are exploited by [interpersonal violence] perpetrators.” *Id.*

47. *Id.*

48. The authors state that “concerns for pets may operate as obstacles in survivors’ safety planning efforts.” *Id.* Similarly, in instances of natural disasters, people have been reluctant to evacuate dangerous areas because they would be unable to take their pets with them. *See Katrina’s Lesson Learned: Animals No Longer Excluded from Storm Evacuations*, ANIMAL WELFARE INST. (2017), <https://awionline.org/awi-quarterly/winter-2017/katrinass-lesson-learned-animals-no-longer-excluded-storm-evacuations> [<https://perma.cc/U8WE-AH54>].

49. *See* Garber, *supra* note 15, at 363–64.

50. Roshni Trehan Ladny & Laura Meyer, *Traumatized Witnesses: Review of Childhood Exposure to Animal Cruelty*, 13 J. CHILD & ADOLESCENT TRAUMA 527, 531 (2019); Garber, *supra* note 15, at 363–64.

51. Ladny & Meyer, *supra* note 50, at 531.

52. Garber, *supra* note 15, at 363–64.

53. Ladny & Meyer, *supra* note 50, at 530–31.

iii. *Hoarding and Neglect*

Beyond intentional abuse, animal neglect and animal hoarding can also lead to dangers for both animals and humans.⁵⁴ A person suffering from animal hoarding, a mental illness, often acquires more animals than they can take care of, which can lead to animal neglect.⁵⁵ Additionally, “[i]n conjunction with the enormous harm that hoarders inflict on their animals, many also create serious dangers for the other humans that live around them.”⁵⁶ These dangers may include lack of adequate food or cluttered and unsafe living conditions, which are harmful to both animals and humans.⁵⁷ Animals and vulnerable people, such as children, are at the mercy of their caretakers and are dependent on others to control the environment around them.

An example of a serious animal hoarding incident occurred in 2018 in Vinton, Iowa.⁵⁸ There, police removed seven-hundred animals, both living and dead, from a home where the “animals were living in unsanitary conditions, lacking food and water.”⁵⁹ Additionally, the perpetrators’ children, ranging from ages five to fourteen, had been living in the house and “were potentially exposed to infectious diseases by living with the animals.”⁶⁰ The perpetrators pled guilty to child endangerment and received two years of supervised probation, which included a limit on the number of animals they could own.⁶¹ However, they were not actually convicted of any crime against animals.⁶²

Animal cruelty is an indicator of violence against humans and vice versa. Data and history show that the two categories of violence are linked, specifically in relation to serial killers, mass shooters, domestic abuse, animal neglect, and hoarding. Addressing animal cruelty can lessen violence toward both animals and humans and, therefore, is an important link to consider.

54. See Campbell, *supra* note 35, at 282–83; see also *Animal Hoarding Facts*, ANIMAL LEGAL DEF. FUND, <https://aldf.org/article/animal-hoarding-facts> [<https://perma.cc/JB6G-JB78>] (describing that animal hoarding is considered to be a form of animal cruelty).

55. *Animal Hoarding: What It Is, What It Isn't, and How You Can Help*, ANIMAL HUMANE SOC'Y, <https://www.animalhumanesociety.org/resource/animal-hoarding-what-it-what-it-isnt-and-how-you-can-help> [<https://perma.cc/VN9J-C4GS>]; Amanda I. Reinisch, *Understanding the Human Aspects of Animal Hoarding*, 49 CANADIAN VETERINARY J. 1211, 1211–12 (2008).

56. Campbell, *supra* note 35, at 283.

57. See *Animal Hoarders: The Illness and the Crime*, PETA, <https://www.peta.org/issues/animal-companion-issues/animal-companion-factsheets/animal-hoarders-illness-crime> [<https://perma.cc/6FP8-XJYE>].

58. Luke Nozicka, *Vinton Couple Who Kept Hundreds of Animals in Home Pleads Guilty to Child Endangerment*, DES MOINES REG. (Aug. 28, 2018, 9:05 AM), <https://www.desmoinesregister.com/story/news/crime-and-courts/2018/08/28/vinton-iowa-animals-child-endangerment-hoarding-barbara-galkowski-marshall-cedar-valley-benton/1118991002> [<https://perma.cc/SG8S-DV7Z>].

59. *Id.*

60. *Id.*

61. *Id.*

62. See *id.*

B. ANIMAL CRUELTY LAWS IN AMERICA

In America, animal protections are generally created and enforced at the state level, although there are a few federal regulations on the topic.⁶³ This state-centered regulation is a product of federalism and states' police powers under the Tenth Amendment.⁶⁴ As a result of state-level control, protections, such as reporting laws and criminal penalties, vary across state lines and lack nationwide uniformity.⁶⁵ Some states are more effective at preventing animal cruelty than others, but states generally use similar methods to combat the issue.⁶⁶

1. Reporting Laws

One way many states implement animal cruelty protections is by creating reporting laws.⁶⁷ Reporting is a crucial tool to deal with all kinds of legal violations because it is impossible to address a problem without knowing that something illegal is occurring. For this reason, laws requiring mandatory reporting of child abuse, elder abuse, and other forms of violence and neglect have been an important part of the American legal system for decades.⁶⁸ Recently, some states have also moved toward creating reporting laws that are directed specifically at animal cruelty.⁶⁹

63. See 18 U.S.C. § 48 (2018) (regulating depictions of animal cruelty); Animal Welfare Act, 7 U.S.C. §§ 2131–2159. The U.S. Department of Agriculture (“USDA”) is the federal agency involved in regulating animal welfare. See *Animal Welfare Services and Activities*, ANIMAL & PLANT HEALTH INSPECTION SERVS.: U.S. DEP’T AGRIC. (Sept. 20, 2024), <https://www.aphis.usda.gov/animal-care/awa-services> [https://perma.cc/2BDT-QBUD].

64. See *Federal-State-Local Cooperation in Animal Welfare Enforcement*, U.S. DEP’T JUST. (Mar. 3, 2017), <https://www.justice.gov/archives/opa/blog/federal-state-local-cooperation-animal-welfare-enforcement> [https://perma.cc/VF8K-HWHS]; U.S. CONST. amend. X.

65. See generally ANIMAL LEGAL DEF. FUND, ANIMAL PROTECTION: U.S. STATE ANIMAL PROTECTION LAWS RANKING REPORT 2023 (2024), <https://aldf.org/wp-content/uploads/2024/02/2023-U.S.-State-Animal-Protection-Laws-Ranking-Report-Animal-Legal-Defense-Fund.pdf> [https://perma.cc/QN9Z-8TR5] (analyzing each state’s animal protection laws).

66. See *id.* at 9–15 (highlighting the five best and five worst states for animal protection).

67. Rachel Al-Alami, Note, *Veterinary Reporting and Immunity Laws in the United States: How This Model Law Could Positively Impact National Veterinary Practices and International Animal Law*, 10 GLOB. BUS. L. REV. 107, 115 (2022).

68. See Kaleigh M. Gorman, Note, *National Animal Abuse Registry Reform: To Be Effective and Provide Prospective, a National Animal Abuse Registry Must Be the Next Directive*, 36 TOURO L. REV. 1135, 1149 (2021); Stacy A. Nowicki, Comment, *On the Lamb: Toward a National Animal Abuser Registry*, 17 ANIMAL L. 197, 202–09 (2010).

69. CHILD.’S BUREAU, CROSS-REPORTING AMONG AGENCIES THAT RESPOND TO CHILD ABUSE AND NEGLECT 2 (2021), https://cwig-prod-prod-drupal-s3fs-us-east1.s3.amazonaws.com/public/documents/cross_reporting.pdf [https://perma.cc/GU5H-UBPN]; *Laws in Favor of Reporting of Animal Cruelty*, ANIMAL LEGAL DEF. FUND (2025), <https://aldf.org/project/laws-in-favor-of-reporting-of-animal-cruelty> [https://perma.cc/M5GE-FQKE]; see Tarun Bishop, *Detailed Discussion of Cross-Reporting Laws for Child Abuse and Animal Abuse*, ANIMAL LEGAL & HIST. CTR. (2021), <https://www.animallaw.info/article/detailed-discussion-cross-reporting-laws> [https://perma.cc/B667-SPCB].

i. *Cross-Reporting Laws*

Cross-reporting laws are specifically meant to address the relationship between violence against multiple victim types.⁷⁰ Cross-reporting laws “involve[] social service departments communicating amongst each other as mandated reporters of abuse.”⁷¹ In cases of animal cruelty, cross-reporting laws facilitate the sharing of information between agencies, such as Child Protective Services (“CPS”), with humane societies so that the agencies can discover and investigate the abuse of both animals and humans more efficiently.⁷²

Cross-reporting laws are made on a state-by-state basis.⁷³ Some states have established mandatory cross-reporting, while others have simply made it permissive.⁷⁴ Furthermore, some states require two-way cross-reporting, while others only require one-way.⁷⁵ One-way reporting means information about suspected abuse against humans only needs to be given to an agency by humane societies, but agencies, such as CPS, are not required to give information about suspected animal abuse to humane societies.⁷⁶ Two-way, on the other hand, means that both sides—humane societies and agencies working to protect humans from abuse—have a responsibility to share information with the other.⁷⁷

As of 2023, mandatory two-way reporting was required in seven states across the country, specifically Connecticut, Delaware, Florida, Illinois, Nebraska, Ohio, and West Virginia.⁷⁸ Cross-reporting was permissible in eight states, specifically California, Louisiana, Indiana, Maine, Massachusetts, Nevada, Oregon, and Tennessee.⁷⁹ Iowa has neither a mandatory nor permissible cross-reporting law in place.⁸⁰

ii. *Veterinary-Reporting Laws*

Another important type of animal cruelty reporting is veterinary reporting.⁸¹ Veterinary reporting “refers to laws requiring veterinarians to report suspected cruelty,” in a similar manner to how doctors and teachers are mandatory

70. See Al-Alami, *supra* note 67, at 115.

71. *Id.*

72. *Id.*

73. *Laws in Favor of Reporting of Animal Cruelty, supra* note 69.

74. *Id.* Some examples of mandatory cross-reporting laws are as follows: 510 ILL. COMP. STAT. 70/18 (2022); FLA. STAT. § 39.208(2)–(3) (2023); CONN. GEN. STAT. § 22-329b (2024).

75. See *Laws in Favor of Reporting of Animal Cruelty, supra* note 69. Some examples of permissive cross-reporting laws are as follows: CAL. PENAL CODE § 11199 (West 2021); IND. CODE § 31-33-8-7.5 (2024); MASS. GEN. LAWS ch. 19C, § 14 (2020).

76. See *Laws in Favor of Reporting of Animal Cruelty, supra* note 69.

77. See *id.*

78. *Id.*

79. *Id.*

80. *Id.*

81. *Id.*

reporters for suspected abuse of children.⁸² When a veterinarian makes a report of suspected animal abuse, “an investigation will be triggered, and other victims of abuse may be revealed.”⁸³ These victims may include “other animals, such as hoarding situations, and possible human victims of elder abuse, domestic violence, and child abuse.”⁸⁴

Veterinary-reporting laws are important because veterinarians have a unique opportunity to discover animal cruelty due to their expertise and their ability to examine animals up close.⁸⁵ The American Veterinary Medical Association provides factors that should cause a veterinarian to suspect abuse, including “owner refusal of treatment,” a “[l]arge number of often filthy and matted animals involved,” and “multiple traumatic injuries [to an animal], often of different ages or different types of trauma.”⁸⁶

Veterinary-reporting laws are also important because, without a legal obligation, veterinarians may not feel obligated to report animal cruelty even if they observe it. A study from 2017 reported that eighty-seven percent of veterinarians answered that they had encountered at least one case of animal abuse; however, only approximately fifty-five percent of veterinarians answered that they had reported at least one case of animal abuse.⁸⁷ It is unclear why veterinarians may not report animal cruelty, but reasons may include that veterinarians want to protect owner confidentiality, feel they do not have adequate training or resources to make a report, or feel disillusioned by law enforcement’s ineffective response to animal cruelty.⁸⁸ No matter the reasons for the gap between encountering and reporting animal abuse, it is important that veterinary-reporting laws exist to give veterinarians an affirmative duty to act.

82. *Id.*; Al-Alami, *supra* note 67, at 109–11; *see Mandatory Reporters*, IOWA HEALTH & HUM. SERVS., <https://hhs.iowa.gov/report-abuse-fraud/mandatory-reporters> [<https://perma.cc/4WE8-DTGP>].

83. Al-Alami, *supra* note 67, at 109.

84. *Id.* (footnote omitted).

85. Emily G. Patterson-Kane et al., *Veterinary Needs for Animal Cruelty Recognition and Response in the United States Center on Training and Workplace Policies*, 260 J. AM. VETERINARY MED. ASS’N 1853, 1854 (2022).

86. AM. VETERINARY MED. ASS’N, *THE VETERINARIAN’S FRAMEWORK FOR IDENTIFICATION AND RESPONSE TO SUSPECTED OR KNOWN ANIMAL MALTREATMENT* 7 (2023), <https://www.avma.org/sites/default/files/2023-10/awf-animal-maltreatment-report2023.pdf> [<https://perma.cc/HE3K-ZXTL>].

87. Lori R. Kogan, Regina M. Schoenfeld-Tacher, Peter W. Hellyer, Mark Rishniw & Rebecca A. Ruch-Gallie, *Survey of Attitudes Toward and Experiences with Animal Abuse Encounters in a Convenience Sample of US Veterinarians*, 250 J. AM. VETERINARY MED. ASS’N 688, 691 (2017); *see also* Patterson-Kane et al., *supra* note 85, at 1853–54 (discussing why veterinarians are reluctant to report abuse).

88. Patterson-Kane et al., *supra* note 85, at 1853–54.

Veterinary-reporting laws commonly give veterinarians civil immunity for reporting in good faith.⁸⁹ This means that many states with veterinary-reporting laws provide legal protections to veterinarians who report suspected animal abuse.⁹⁰ This immunity clause incentivizes veterinarians to do the right thing without fearing legal repercussions.⁹¹

As with cross-reporting, veterinary-reporting laws vary across the states, and reporting can either be required or permitted.⁹² As of 2024, a total of forty-two states have some form of veterinary-reporting law.⁹³ Twenty-two states have mandatory veterinary reporting of animal cruelty⁹⁴ and twenty other states have permissive veterinary-reporting laws.⁹⁵ Iowa has no veterinary-reporting laws in place.⁹⁶

2. Animal Abuser Registries

Animal abuser registries are an up-and-coming strategy that some states and counties are utilizing to combat violence against animals. Like with cross and veterinary reporting, animal abuser registries can aid in the discovery and investigation of animal cruelty. Registries can also serve as a deterrent by acting as a form of punishment for offenders. Individuals would want to avoid being listed on the registry because, if the community knew of their abusive actions, the offender may face some amount of stigmatization.⁹⁷ Additionally,

89. Al-Alami, *supra* note 67, at 110. Some examples of immunity clauses can be seen in Massachusetts, Illinois, and Washington. MASS. GEN. LAWS ch. 112, § 58B (2020); 510 ILL. COMP. STAT. 70/3.07 (2022); WASH. REV. CODE § 16.52.330 (2024).

90. Dennis D. Long, Joan H. Long & Shanti J. Kulkarni, *Interpersonal Violence and Animals: Mandated Cross-Sector Reporting*, 34 J. SOCIO. & SOC. WELFARE 147, 151–52, 155–57 (2007); Ketia Johnson, *Mandatory Reporting in Veterinary Medicine*, DON'T FORGET PETS (Feb. 1, 2023), <https://dontforgetthepets.org/veterinary-reporting-and-supporting-survivors> [https://perma.cc/62KM-EBHX].

91. Al-Alami, *supra* note 67, at 109–11.

92. *Laws in Favor of Reporting of Animal Cruelty*, *supra* note 69.

93. *Id.*

94. *Id.* (including Alabama, Arizona, California, Colorado, Connecticut, Hawaii, Illinois, Kansas, Ohio, Oklahoma, Oregon, Minnesota, Missouri, Nebraska, New York, North Dakota, Massachusetts, Maine, Pennsylvania, Virginia, West Virginia, and Wisconsin). Examples of mandatory veterinary-reporting laws are as follows: MASS. GEN. LAWS ch. 112, § 58B; 510 ILL. COMP. STAT. 70/3.07; N.D. CENT. CODE § 36-21.2-10 (2023).

95. *Laws in Favor of Reporting of Animal Cruelty*, *supra* note 69 (including Alaska, Arkansas, Florida, Georgia, Idaho, Indiana, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Nevada, New Hampshire, New Mexico, North Carolina, Rhode Island, Texas, Utah, Vermont, and Washington). Examples of permissive veterinary-reporting laws are as follows: WASH. REV. CODE § 16.52.330 (2024); KY. REV. STAT. ANN. § 321.188 (LexisNexis 2023); ALASKA ADMIN. CODE tit. 12, § 68.100(b) (2024).

96. *Laws in Favor of Reporting of Animal Cruelty*, *supra* note 69 (displaying the states without any veterinary reporting as Delaware, Iowa, Montana, New Jersey, South Carolina, South Dakota, Tennessee, and Wyoming).

97. See generally Tony Casey, *Tennessee's New Animal Abuse Registry Pointless Without Enforcement and a Touch of Public Shaming*, JOHNSON CITY PRESS (July 20, 2022), <https://www.johnsoncitypress.com/opinion/columns/tennessees-new-animal-abuse-registry-pointless-without-enforcement-and->

while on the registry offenders may be required to pay small fines and are often banned from owning animals.⁹⁸ The goal of animal abuser registries is to keep track of convicted offenders and prevent them from committing subsequent crimes against animals.⁹⁹ These animal abuser registries are largely inspired by other registries, such as sex offender registries, which states and the federal government have used to track convicted individuals for decades.¹⁰⁰

The first animal abuser registry in the United States was created in Suffolk County, New York, in 2010.¹⁰¹ The Suffolk County registry remains in place today and requires convicted offenders “to register their name, address and photo with the registry.”¹⁰² A person convicted of animal abuse in Suffolk County is listed on the Suffolk County Animal Abuse Offender Registry (“SCAAOR”) for ten years following their first conviction and another twenty years following subsequent convictions.¹⁰³ Another aspect of SCAAOR is that those listed on the registry must pay an annual sum of fifty dollars, which goes to the upkeep of the registry.¹⁰⁴ An important rule is that “[p]ersons registered with the Animal Abuse Registry shall be prohibited from possessing an animal while they remain on the registry.”¹⁰⁵ This rule is meant to prevent convicted offenders from being able to hurt any other animals.

After Suffolk County implemented its animal abuser registry, many other counties, especially within the State of New York, followed suit.¹⁰⁶ Now, a number of counties across America have animal abuser registries.¹⁰⁷ Many registries have slightly different technical requirements when it comes to fines, duties, penalties, and minimum time limits for a person to remain on the registry. For example, in New York City, pet sellers are required to consult the New York City Animal Abuse Registry before selling an animal.¹⁰⁸ This requirement gives individuals who sell animals a duty to avoid providing animals to convicted animal abusers in the jurisdiction.

a-touch-of-public-shaming/article_91d4fagc-f0f2-545e-97f9-96ac61479bba.html (on file with the *Iowa Law Review*) (advocating for public shaming to prevent animal cruelty).

98. See *Animal Abuse Offender Registry*, SUFFOLK CNTY. POLICE DEP'T, <https://suffolkpd.org/Alerts/Animal-Abuse-Offender-Registry> [<https://perma.cc/4Z9F-AJUF>].

99. Gorman, *supra* note 68, at 1149; Nowicki, *supra* note 68, at 202–09.

100. Gorman, *supra* note 68, at 1149; Nowicki, *supra* note 68, at 202–09.

101. *Animal Abuse Offender Registry*, *supra* note 98.

102. *Id.*

103. *Id.*

104. *Id.*; Samantha Brix, *Suffolk Approves Animal Abuse Registry Bill*, RIVERHEAD NEWS-REV. (Oct. 12, 2010), <https://riverheadnewsreview.timesreview.com/2010/10/143/suffolk-approves-animal-abuse-registry-bill> [<https://perma.cc/4HHG-MSLP>].

105. *Animal Abuse Offender Registry*, *supra* note 98.

106. See Chip Fletcher & DeBora Cromartie-Mincey, *The Growing Trend of Animal-Abuser Registries*, 91 FLA. BAR J. 36, 36–38 (2017); *Animal Abuse Registry*, NYC HEALTH, <https://www.nyc.gov/site/doh/health/health-topics/animal-abuse-registry.page> [<https://perma.cc/LM2P-ZM22>].

107. See Fletcher & Cromartie-Mincey, *supra* note 106, at 36.

108. *Animal Abuse Registry*, *supra* note 106.

Although many counties have a registry, Tennessee is the only state currently with an animal abuser registry.¹⁰⁹ The Tennessee registry was implemented in 2016, and the registry has similar requirements to SCAAOR.¹¹⁰ The Tennessee registry contains “a photograph taken of the convicted animal abuser as part of the booking process, the animal abuser’s full legal name, and other identifying data as the [Tennessee Bureau of Investigation (“TBI”)] determines is necessary to properly identify the animal abuser and to exclude innocent persons.”¹¹¹ After a first conviction, a person will be listed on the registry for two years, and after subsequent convictions for animal abuse, a person will be listed for five years.¹¹² The registry is publicly accessible on the TBI website.¹¹³ As of August 2024, there were fewer than twenty individuals on the list.¹¹⁴ Because the registry is relatively new and small-scale, there is not a large amount of information available to analyze its effectiveness.¹¹⁵

Many other states have proposed legislation to adopt a statewide animal abuser registry; however, none of the proposed laws have been passed.¹¹⁶ A major reason that many states have not implemented an animal abuser registry is that a large amount of resources is needed to create and maintain a high-functioning registry.¹¹⁷ Some states estimate the cost to be between five-hundred-thousand dollars and two-million dollars.¹¹⁸ However, other sources suggest that

109. See TENN. CODE ANN. § 40-39-103 (2019).

110. *Id.*

111. *Id.* § 40-39-103(b)(1).

112. *Id.* § 40-39-103(d).

113. *Tennessee Animal Abuse Registry*, TENN. BUREAU INVESTIGATION, <https://www.tn.gov/tbi/tennessee-animal-abuse-registry.html> [<https://perma.cc/8CZ2-TB3Y>].

114. *See id.*

115. *See Casey*, *supra* note 97.

116. *See Nowicki*, *supra* note 68, at 221–29; Nancy E. Halpern, *More Proposed Animal Abuse Registries*, FOX ROTHSCCHILD (Apr. 9, 2016), <https://animallaw.foxrothschild.com/2016/04/09/more-proposed-animal-abuse-registries> [<https://perma.cc/UF4V-QSPZ>]; WDSU Digital Team, *Mississippi Among States Considering Animal Abuser Registry Lists*, WDSU6 (Feb. 26, 2018, 3:12 PM), <https://www.wdsu.com/article/mississippi-among-states-considering-animal-abuser-registry-lists/18726679> [<https://perma.cc/2HP5-4QR4>]; Hadley Barndollar, *Animal Abuse Registry Pitched in NH as ‘Needed Tool’; Critics Fear Unintended Impacts*, N.H. BULL. (Feb. 28, 2024, 5:00 AM), <https://newhampshirebulletin.com/2024/02/28/animal-abuse-registry-pitched-in-nh-as-needed-tool-critics-fear-unintended-impacts> [<https://perma.cc/HJ69-XN9G>]; Wayne Schutsky, *Arizona Senate Votes Down Animal Abuser Registry Bill*, 91.5 KJZZ (Mar. 5, 2024, 3:59 PM), <https://www.kjzz.org/2024-03-05/content-1873241-arizona-senate-votes-down-animal-abuser-registry-bill> [<https://perma.cc/VV83-UGQU>].

117. *See Position Statement on Animal Abuser Registries*, AM. SOC’Y FOR PREVENTION CRUELTY TO ANIMALS, <https://www.aspc.org/about-us/aspc-policy-and-position-statements/position-statement-animal-abuser-registries> [<https://perma.cc/993Q-ZSYB>]; Editorial, *Animal Abuser Registries Are Ineffective*, HARTFORD COURANT (Dec. 15, 2018, 6:00 AM), <https://www.courant.com/2018/12/15/animal-abuser-registries-are-ineffective> (on file with the *Iowa Law Review*).

118. *Position Statement on Animal Abuser Registries*, *supra* note 117 (“A fiscal impact statement for a 2011 proposed Virginia registry estimated costs at \$1 million. Costs of a proposed California registry were estimated anywhere from \$750,000 to \$2 million. Costs of a proposed registry in Washington State were estimated to be \$468,000 for the initial year and \$271,000 in subsequent years.”).

with some volunteer labor, the cost would be closer to five-hundred dollars a month.¹¹⁹ States that have considered implementing a registry include Alaska, California, Colorado, Hawaii, Indiana, Massachusetts, New York, and Rhode Island.¹²⁰ Even though Tennessee is currently the only state with an animal abuser registry, there is nationwide interest.¹²¹

Overall, registries create a net-positive good. The goal is that by making information about animal abusers readily available to animal sellers, law enforcement agencies, and the public, it will be more difficult for abusers to acquire animals, easier for law enforcement agencies to discover and prevent violence across victim types, and less likely that individuals will abuse animals for fear of being listed on the registry.

3. Humane Education

Another way states are addressing animal cruelty is through humane education.¹²² Humane education is a method of teaching that draws on “human rights, animal protection, and environmental sustainability with the goal of preparing people to be compassionate” toward animals and to “create solutions that enable people, animals, and nature to thrive.”¹²³ Humane education is important because its primary goal is the prevention of animal cruelty, whereas many other strategies for combating animal cruelty are retroactive, addressing violence after it has already occurred.¹²⁴ Education on the topic of animal cruelty and animal rights has mainly been focused on schools and children.¹²⁵ Some states, including Maine, Oregon, and Florida, even have statutes that say teachers have a duty to teach kindness to animals in schools.¹²⁶ By increasing awareness about animal cruelty, especially at a young age, the

119. Nowicki, *supra* note 68, at 239.

120. *Id.* at 229; see Mary Esch, *Early Warning Sign? More States Consider Animal Abuser Lists*, TWIN CITIES.COM PIONEER PRESS (Feb. 26, 2018, 5:07 PM), <https://www.twincities.com/2018/02/26/early-warning-sign-more-states-consider-animal-abuser-lists> [<https://perma.cc/X4WX-ERY8>].

121. Esch, *supra* note 120; see Nowicki, *supra* note 68, at 221–29. Additionally, critics of animal abuser registries also argue that over stigmatization of listed offenders may be an issue. *Position Statement on Animal Abuser Registries*, *supra* note 117. Another possible problem with animal abuser registries is that abusers can get animals in illegal ways. *See id.*

122. See Ladny & Meyer, *supra* note 50, at 535. British societies for animal welfare also call for animal cruelty education. *Call for Animal Welfare in Education*, ROYAL SOC’Y PREVENTION CRUELTY TO ANIMALS, <https://science.rspca.org.uk/web/ed/education/teachers/takeaction> [<https://perma.cc/Q63F-ZM3Q>]. A poll by the Royal Society for Prevention of Cruelty to Animals shows that ninety-seven percent of school-aged children said that learning about animal cruelty is important. *See id.*

123. *What Is Humane Education?*, INST. FOR HUMANE EDUC., <https://humaneeducation.org/g/raduate-programs/what-is-humane-education> [<https://perma.cc/BW9A-DBKB>].

124. See *The Humane Education and Advocacy Program*, NAT’L HUMANE EDUC. SOC’Y, <https://www.nhes.org/humane-education/the-humane-education-and-advocacy-program> [<https://perma.cc/43WR-H92Z>].

125. *See id.*

126. *See id.*

hope is that people will be less prone to harm animals and able to identify and stop animal cruelty when they encounter it.¹²⁷

Beyond these abovementioned animal cruelty protections, states have been creative in implementing other methods to combat animal cruelty.¹²⁸ Although some states have been more effective at preventing animal cruelty than others, America still has a long way to go before animals are sufficiently protected in all states.¹²⁹

C. ANIMAL CRUELTY LEGISLATION IN IOWA

Chapter 717B of the Iowa Code deals with animal cruelty protections and violations in Iowa.¹³⁰ Prior to 2020, the statute was in bad shape because it was poorly written and riddled with loopholes, which allowed animal abusers to get away with violent or negligent actions toward animals.¹³¹ Fortunately, in 2020, House File 737 (“HF 737”) amended chapter 717B to strengthen animal cruelty protections in Iowa.¹³²

The first provision of Iowa’s animal cruelty statute, section 717B.1, was not altered by HF 737. Section 717B.1 is an important place to start to understand the scope of animal cruelty laws in Iowa. Under section 717B.1, Iowa defines an animal as “a nonhuman vertebrate”; however, livestock, certain preserve animals, invertebrates, wild animals, and nuisance species are not considered animals under the definition.¹³³ In other words, the protections of chapter 717B apply to most animals owned by a human for non-farming purposes, but the protections do not apply to other types of animals.

In terms of other sections of 717B, HF 737 changed the language and definitions of different types of violence against animals to make them easier to apply and understand.¹³⁴ Prior to 2020, section 717B.2 read that “[a] person is guilty of animal abuse if the person intentionally injures, maims, disfigures, or destroys an animal owned by another person, in any manner, including intentionally poisoning the animal.”¹³⁵ Only “another person”

127. *Id.*

128. For example, animal advocate programs in courtrooms involve lawyers advocating for animals and their individual rights in the court system. *Courtroom Animal Advocate Programs (CAAP)*, ANIMAL LEGAL DEF. FUND, <https://aldf.org/article/courtroom-animal-advocate-programs-caap> [<https://perma.cc/2X9L-LCA3>].

129. See generally ANIMAL LEGAL DEF. FUND, *supra* note 65 (analyzing state animal protection laws).

130. IOWA CODE ch. 717B (2024).

131. See *Updating Iowa’s Animal Protection Laws (Iowa)*, ANIMAL LEGAL DEF. FUND (June 30, 2020), <https://aldf.org/project/updating-iowas-animal-protection-laws-iowa> [<https://perma.cc/7K84-LJ9G>].

132. *Id.*; see H.F. 737, 88th Gen. Assemb., 2d Sess. (Iowa 2020).

133. IOWA CODE § 717B.1(1) (2024).

134. See generally *id.* ch. 717B (protecting against the mistreatment of animals as defined in section 717B.1(3)).

135. IOWA CODE § 717B.2 (2009) (amended 2020).

could be guilty of animal abuse, and not the owner.¹³⁶ This meant that people who owned animals were legally allowed to harm their own animals. Moreover, animal abuse was technically not occurring if the abuser was “acting with the consent of the person owning the animal.”¹³⁷ So, animal abuse was allowed in Iowa if one had permission from the owner to act cruelly toward an animal.¹³⁸

The 2020 changes to section 717B.2 made it so that even owners may be charged with animal abuse if a person “intentionally, knowingly, or recklessly acts to inflict injury, serious injury, or death on an animal by force, violence, or poisoning.”¹³⁹ This change in wording broadened the scope of who animal cruelty laws apply to as there are no longer exceptions for owners and for those abusing animals with permission from the owners.

For animal neglect, the old rule under section 717B.3 was that animals must be provided with adequate food, water, or shelter.¹⁴⁰ This language did provide some minimum standards—although they were not well-defined—for how animals must be cared for, but there were many loopholes in this law. For example, if a dog died because it was left outside in the Iowa winter with only a plastic igloo for shelter, a prosecutor might not file charges because technically the dog was provided shelter.¹⁴¹ The only qualifying word in the law was the word “adequate”; however, “adequate” could be interpreted to mean a variety of different things and is a difficult legal standard to apply.¹⁴² Moreover, these minimum standards in section 717B.3 did nothing to define whether the conditions in which the animal was kept had to be sanitary or whether animals could be left in unclean environments, leading to illness or injury.¹⁴³

Now, the changes to the language in section 717B.3 provide more specific standards for what an animal must be provided.¹⁴⁴ For example, rather than requiring “a sufficient quantity of food or water,” it is now animal neglect to fail to provide “[a]ccess to food in an amount and quality reasonably sufficient to satisfy the animal’s basic nutrition level to the extent

136. *Id.*

137. *Id.* § 717B.2(1).

138. This law is likely related to the fact that animals are legally considered property. Animals are not truly considered beings in their own right, but the belongings of humans. See Amie J. Dryden, Comment, *Overcoming the Inadequacies of Animal Cruelty Statutes and the Property-Based View of Animals*, 38 IDAHO L. REV. 177, 181–82 (2001); Gorman, *supra* note 68, at 1137–38.

139. IOWA CODE § 717B.2(1) (2024); see H.F. 737, 88th Gen. Assemb., 2d Sess. § 5 (Iowa 2020).

140. IOWA CODE § 717B.3(1) (2009) (amended 2020).

141. Andy Hallman, *Animal Welfare Groups Hopeful Senate Takes Action on Animal Cruelty*, SE. IOWA UNION (Jan. 3, 2020, 12:00 AM), <https://www.southeastiowaunion.com/news/animal-welfare-groups-hopeful-senate-takes-action-on-animal-cruelty> [<https://perma.cc/9558-XVK6>] (“We see one or two cases a year where a dog was left outside in a plastic igloo house and froze to death,” [the Iowa director of the Humane Society of the United States] said. ‘But because the animal was given food, water and shelter, those cases don’t see charges, because the law doesn’t say [the animal] must be protected from the elements.’” (second alteration in original)).

142. IOWA CODE § 717B.3(1) (2009) (amended 2020).

143. *See id.*

144. *See id.* § 717B.3 (2024).

that the animal's health or life is endangered.”¹⁴⁵ This new wording provides more safeguards for animals in that it is clearer, and there is no room for perpetrators to claim that they did not understand what level of care was required. Language relating to access to water, sanitary conditions, shelter, protection from the elements, grooming, and veterinary care have also been improved and added to section 717B.3.¹⁴⁶ Iowa's shelter requirements are now some of the best in the nation, according to the Animal Legal Defense Fund (“ALDF”).¹⁴⁷ The increase in specific requirements for an animal's basic needs has clarified the law and now allows for a more straightforward prosecution of animal neglect.

Another change to chapter 717B that has increased protections for animals relates to animal torture. Previously, under section 717B.3A, prosecutors were required to prove an offender's “depraved or sadistic intent” to win on an animal torture claim.¹⁴⁸ After HF 737, prosecutors now need only prove that the offender “intentionally or knowingly inflict[ed] on an animal severe and prolonged or repeated physical pain that cause[d] the animal's serious injury or death.”¹⁴⁹ Although it is still difficult for the prosecution to prove the required mental state, the new standard is clearer and more easily met than a “depraved or sadistic intent.”¹⁵⁰

These abovementioned alterations to chapter 717B have been crucial in supporting animal protections in Iowa. Iowa has also improved its animal cruelty laws through a variety of other additions in 2020. For example, Iowa lawmakers increased penalties for certain crimes against animals, such as animal abandonment.¹⁵¹ Another improvement was the creation of an exemption to the animal abandonment provision to allow for trap-neuter-return programs.¹⁵²

145. *Id.* § 717B.3(1) (2009) (amended 2020); *id.* § 717B.3(1)(a) (2024).

146. *See* IOWA CODE § 717B.3(1)(b)–(f) (2024).

147. *See Laws Requiring Shelter for Animals*, ANIMAL LEGAL DEF. FUND, <https://aldf.org/project/shelter-requirements-for-animals> [<https://perma.cc/KQ66-2gE2>]; *see also* IOWA CODE § 717B.3(1) (“A person commits animal neglect when the person . . . fails to provide the animal with . . . [v]entilated shelter reasonably sufficient to provide adequate protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to maintain the animal in a state of good health to the extent that the animal's health or life is endangered. The shelter must protect the animal from wind, rain, snow, or sun and have adequate bedding to provide reasonable protection against cold and dampness. A shelter may include a residence, garage, barn, shed, or doghouse.”).

148. IOWA CODE § 717B.3A(1) (2009) (amended 2020).

149. *Id.* § 717B.3A(1) (2024).

150. *Id.* § 717B.3A(1) (2009) (amended 2020).

151. H.F. 737, 88th Gen. Assemb., 2d Sess. § 9 (Iowa 2020) (increasing the penalty from a simple misdemeanor in all circumstances to a charge of either a simple, serious, or aggravated misdemeanor depending on the harm endured by the animal).

152. *Id.* Trap-Neuter-Return programs are programs where free roaming animals (such as stray or feral cats) are collected and neutered by a vet, before being returned to their outdoor habitat. *TNR Instructions and Tips*, IOWA HUMANE ALL., <https://iowahumanealliance.org/trapn>

Additionally, Iowa law requires courts to order psychological evaluations and treatment of convicted animal offenders when they find it necessary.¹⁵³ Iowa also has no-contact orders that can include pets.¹⁵⁴ These many statutory improvements, among others, have made animals safer in Iowa. Unfortunately, Iowa's animal cruelty provisions are still in dire need of improvement and are subpar compared with the protections in other states.

II. WHAT ARE THE PROBLEMS WITH CURRENT ANIMAL CRUELTY PROTECTIONS IN IOWA?

Iowa's animal protections have improved over time; however, they are still far from where they need to be. This Part discusses how Iowa's animal cruelty laws are still inadequate. It also discusses why it is important that animal protections are bettered in Iowa.

A. WHY IOWA NEEDS INCREASED ANIMAL CRUELTY PROTECTIONS

Iowa has consistently ranked poorly in terms of its animal cruelty legislation.¹⁵⁵ In its 2016 ranking of state animal protection laws, the ALDF ranked Iowa forty-ninth in the nation.¹⁵⁶ Iowa maintained its position within the bottom three places in the nation until 2020.¹⁵⁷ Fortunately, in 2020, the Iowa Legislature passed HF 737, which, to some extent, improved Iowa's laws.¹⁵⁸ Currently, the ALDF ranks Iowa as forty-fourth in the nation for animal cruelty

euterreturn [<https://perma.cc/92WH-LZV2>]. This is seen as a way to control the animal population without resorting to euthanasia. *Id.*

153. See IOWA CODE § 717B.3B (2024); *Updating Iowa's Animal Protection Laws (Iowa)*, *supra* note 131; see also Ashley Kunz, Comment, *Skinning the Cat: How Mandatory Psychiatric Evaluations for Animal Cruelty Offenders Can Prevent Future Violence*, 21 SCHOLAR: ST. MARY'S L. REV. ON RACE & SOC. JUST. 167, 193 (2019) (calling for psychiatric evaluations for all people convicted of animal cruelty).

154. Rebecca F. Wisch, *Domestic Violence and Pets: List of States That Include Pets in Protection Orders*, ANIMAL LEGAL & HIST. CTR. (2024), <https://www.animallaw.info/article/domestic-violence-and-pets-list-states-include-pets-protection-orders> [<https://perma.cc/5SLQ-NZWZ>] (explaining that in Iowa “[t]he court can also order the abuser to stay away from the animals and not take, hide, bother, attack, threaten, or otherwise get rid of the pet or companion animal”); IOWA CODE §§ 236.3(1)(g), .4(4), .5(1)(b)(7).

155. See Press Release, Animal Legal Def. Fund, *Best & Worst States for Animal Protection Laws*, 2016 Report Released (Jan. 9, 2017), <https://aldf.org/article/best-worst-states-for-animal-protection-laws-2016-report-released> [<https://perma.cc/W9QX-CAF6>].

156. *Id.*

157. See ANIMAL LEGAL DEF. FUND, 2017 U.S. ANIMAL PROTECTION LAWS RANKINGS 18 (2018), https://aldf.org/wp-content/uploads/2018/06/Rankings-Report-2017_FINAL.pdf [<https://perma.cc/F8E7-2JE7>]; ANIMAL LEGAL DEF. FUND, 2018 U.S. ANIMAL PROTECTION LAWS RANKINGS 20 (2019), <https://aldf.org/wp-content/uploads/2019/01/Animal-Protection-Laws-of-the-United-States-2018-full-report.pdf> [<https://perma.cc/94P5-UPMS>]; ANIMAL LEGAL DEF. FUND, ANIMAL PROTECTION: U.S. STATE LAWS RANKINGS REPORT 2019, at 33 (2020), <https://aldf.org/wp-content/uploads/2020/02/2019-Animal-Protection-US-State-Laws-Rankings-Report.pdf> [<https://perma.cc/B5C5-GS6B>].

158. H.F. 737, 88th Gen. Assemb., 2d Sess. (Iowa 2020); see *supra* Section I.C.

protection legislation.¹⁵⁹ Although Iowa has moved forward slightly, there is still room for improvement.

In addition to animal cruelty protections, Iowa is also not adequately protecting its citizens. For example, Iowa does not rank well in terms of protections against spousal and child abuse.¹⁶⁰ In 2020, the Department of Health and Human Services reported that in Iowa, 14.6 out of every one thousand children were victims of abuse.¹⁶¹ The national average for child victims of abuse was 8.4 out of one thousand, displaying that child abuse rates are comparatively high in Iowa.¹⁶² Additionally, the National Coalition Against Domestic Violence reported in 2020 that “35.3 [percent] of Iowa women and 29.3 [percent] of Iowa men experience intimate partner physical violence, intimate partner sexual violence, and/or intimate partner stalking in their lifetimes.”¹⁶³ Both animals and humans in Iowa are not safe from cruelty and abuse. Given the connection between violence toward humans and violence toward animals, increased protections for animals could improve safety for all in the State of Iowa.¹⁶⁴

B. WHERE THE IOWA PROTECTIONS ARE WEAK

Iowa's animal protection laws are lacking in a few places. Although HF 737 improved Iowa's animal cruelty laws from what they were previously, compared to other states, Iowa's legislative protections are still subpar.¹⁶⁵ This Section will discuss where Iowa's current animal cruelty protections are weak in terms of chapter 717B provisions (including unduly low penalties and poor statutory language), reporting laws, animal abuser registries, and humane education programs.

1. Problems with Current Chapter 717B Provisions

Iowa's legislative provisions in chapter 717B have recently improved but are not sufficient to protect animals. First, Iowa does not allow for a felony conviction for first-time animal abuse offenders.¹⁶⁶ The first time someone

159. ANIMAL LEGAL DEF. FUND, *supra* note 65, at 3; *see also* ANIMAL LEGAL DEF. FUND, ANIMAL PROTECTION: U.S. STATE ANIMAL PROTECTION LAWS RANKING REPORT 2022, at 2 (2023), <https://animallegaldefensefund.org/wp-content/uploads/2023/02/2022-Animal-Protection-US-State-Laws-Rankings-Report-Animal-Legal-Defense-Fund.pdf> [<https://perma.cc/4P4Q-7TF4>] (ranking Iowa as forty-first).

160. *See* CHILD.'S BUREAU, U.S. DEP'T OF HEALTH & HUM. SERVS., CHILD MALTREATMENT 2020, at 35–36 (2020), <https://www.acf.hhs.gov/sites/default/files/documents/cb/cm2020.pdf> [<https://perma.cc/868V-B38R>]; NAT'L COAL. AGAINST DOMESTIC VIOLENCE, DOMESTIC VIOLENCE IN IOWA 1 (2020), https://assets.speakcdn.com/assets/2497/ncadv_iowa_fact_sheet_2020.pdf [<https://perma.cc/C3BQ-HWZE>].

161. CHILD.'S BUREAU, *supra* note 160, at 36.

162. *Id.*

163. NAT'L COAL. AGAINST DOMESTIC VIOLENCE, *supra* note 160, at 1.

164. *See supra* Section I.A.2.

165. *See* ANIMAL LEGAL DEF. FUND, *supra* note 65, at 3.

166. *See* IOWA CODE § 717B.2(3)–(5) (2024).

commits animal abuse or animal torture, it is categorized as a misdemeanor even if it results in serious injury or death to the animal.¹⁶⁷ A person can only be convicted of a felony for animal abuse, specifically a Class D felony (the lowest level felony available), when they have already committed a previous offense against an animal.¹⁶⁸ This punishment is low-level and does not allow for a court to utilize its discretion based on the facts of the case to punish offenders accordingly.¹⁶⁹

Another issue with Iowa's animal protection laws is that the definition of animal is unduly restrictive.¹⁷⁰ Whole categories of animals, such as wild animals, invertebrates, and nuisance species, are not protected under Iowa's animal cruelty laws.¹⁷¹ Basically, the only animals protected by chapter 717B are pets; however, even some pets, such as hermit crabs or tarantulas, are not protected because they do not have a spine. It is currently legal in Iowa under chapter 717B to abuse invertebrates, wild animals, and animals that are classified as nuisance species. For example, in 2024 in Dubuque County, Iowa, teenagers beat an opossum to death with folding chairs; however, because chapter 717B does not protect wildlife, the only penalty available was for killing a fur-bearing animal out of season, which carries with it only a seventy dollar fine.¹⁷² Additionally, even fewer protections are available for animals that are in a continuous open season for hunting, such as raccoons, groundhogs, and coyotes.¹⁷³ Iowa's penalties and definitions under chapter 717B do not provide adequate safeguards.

2. Lack of Reporting Laws

Iowa also does not have cross- or veterinary-reporting laws in place.¹⁷⁴ Social service agencies and humane societies in Iowa are not required to report to each other suspected abuse or share information about dangers to humans or animals. Iowa lacks the reporting laws that many other states have benefited from for years.¹⁷⁵ The connection between animal cruelty and violence

167. *Id.* § 717B.2(3)–(4).

168. *Id.* § 717B.2(5).

169. *See id.*

170. *Id.* § 717B.1(1).

171. *Id.* (“[A]nimal’ does not include . . . [l]ivestock . . . [p]reserve whitetail . . . [a]ny game, fur-bearing animal, fish, reptile, or amphibian, . . . unless a person owns, confines, or controls [it.] . . . [nor] [a]ny nongame species declared to be a nuisance . . .” (emphasis omitted)).

172. Libbie Randall, *Graphic Video: Dubuque County Teens Post Video Beating Opossum to Death, One Person Charged*, KCRG (Feb. 20, 2024, 6:48 PM), <https://www.kcrg.com/2024/02/21/graphic-video-o-dubuque-county-teens-post-video-beating-opossum-death-one-person-charged> [<https://perma.cc/TUJ8-RW5U>].

173. *See* IOWA DEP’T OF NAT. RES., 2024–25 IOWA HUNTING, TRAPPING & MIGRATORY GAME BIRD REGULATIONS 7, 10 (2024), [https://www.iowadnr.gov/media/1700/download?inline=\[https://perma.cc/5EWH-USGG\]](https://www.iowadnr.gov/media/1700/download?inline=[https://perma.cc/5EWH-USGG]).

174. *See Laws in Favor of Reporting of Animal Cruelty*, *supra* note 69.

175. *See supra* Section I.B.1.

toward humans is strong, and the benefits of sharing information between agencies outweigh any potential burdens.¹⁷⁶

3. Lack of an Animal Abuser Registry

Iowa also does not have a statewide animal abuser registry. The closest mechanism that Iowa has to documenting animal abusers is a Facebook page on which the organizers post police reports of people who have been convicted of animal abuse.¹⁷⁷ This page relies solely on the voluntary efforts of its organizers and does not have access to the resources that a government organization would have.¹⁷⁸ Although citizen involvement in combatting animal cruelty is noble, the documentation and punishment of animal abusers is ultimately the responsibility of the State. Creating an official animal abuser registry would improve Iowa's ability to keep track of animal abusers within its borders and prevent them from causing further harm.

4. Non-Mandatory Humane Education Programs

Iowa does not have any laws requiring humane education programs in classrooms or schools.¹⁷⁹ Humane education remains optional; however, there are organizations, such as the ARLI, working to make humane education accessible to schools and the community should they choose to engage in it.¹⁸⁰ Iowa also does not make humane education mandatory for all convicted animal abusers; however, judges in Iowa have discretion to require humane education for offenders if they believe that it would be beneficial to their rehabilitation.¹⁸¹ Humane education programs, such as the Benchmark Animal Rehabilitative Curriculum ("BARC"), are courses that offenders can be referred to and required to complete as part of their sentence.¹⁸²

Overall, Iowa's animal protection laws are insufficient. Punishments are limited by chapter 717B, as are the types of animals which are protected under the law. Moreover, reporting and registry laws are nonexistent in Iowa. Humane

176. See *supra* Section I.A.

177. Iowa Animal Abuse Registry, FACEBOOK, <https://www.facebook.com/p/Iowa-Animal-Abuse-Registry-100071869034719> [https://perma.cc/4URS-578W].

178. See Nowicki, *supra* note 68, at 231–34.

179. See *Humane Education Laws by State*, ANIMAL WELFARE INST. (Aug. 1, 2023), <https://awionline.org/content/humane-education-laws-state#iowa> [https://perma.cc/UU2D-AFPJ].

180. See *Educators*, ANIMAL RESCUE LEAGUE IOWA, INC., <https://www.arl-iowa.org/get-involved/for-kids/educators> [https://perma.cc/RBN3-YQ62].

181. See IOWA CODE § 717B.3B (2024); *Updating Iowa's Animal Protection Laws (Iowa)*, *supra* note 131.

182. *Online Animal Cruelty Prevention and Education Course*, BENCHMARK ANIMAL REHAB. CURRICULUM (B.A.R.C.), <https://barceducation.org> [https://perma.cc/LQ79-M862]. The BARC program requires the offender to pass quizzes and a final exam, and it even has facial recognition technology to ensure that the person taking the course is the offender. *Referring Agencies*, BENCHMARK ANIMAL REHAB. CURRICULUM (B.A.R.C.), <https://barceducation.org/referring-agencies> [https://perma.cc/UGC9-X62F].

education programs are well-developed but are only optional or discretionary. Iowa's current laws are far from perfect and must be improved.

III. HOW IOWA CAN IMPROVE ITS ANIMAL CRUELTY PROTECTIONS

Iowa must better its animal protection laws in order to ensure that animals are safe. Iowa can accomplish this goal in four ways. First, Iowa should update its current legislation by adding missing provisions to chapter 717B and increasing punishments. This change would involve adding wild animals, invertebrates, and nuisance species to the definition of "animal" under section 717B.1(1) and allowing first-time animal abuse offenders to be charged with felonies. Second, Iowa should implement cross-reporting and veterinary-reporting laws. Third, Iowa should adopt an animal abuser registry with strict standards. Fourth, Iowa should mandate humane education programs in schools and for all convicted animal abusers. Ideally, all four of these solutions would be implemented in Iowa; however, the adoption of any of these solutions would be an improvement to the status of animal welfare in Iowa.

A. UPDATING IOWA'S CHAPTER 717B LANGUAGE

Iowa should change its current laws so they adequately protect animals. The current legislation lacks certain provisions and definitions that can easily be added. For example, the definition of "animal" under chapter 717B could be expanded so that wild animals, invertebrates, and nuisance species are also included.¹⁸³ Torturing a wild animal should be just as much of a crime as torturing a domesticated one.¹⁸⁴ Humans should afford all animals protection from abuse because, at the end of the day, all animals are deserving of basic respect.¹⁸⁵

Iowa should also create stronger penalties for offenders. This would involve allowing first-time animal cruelty offenders to be convicted of Class D felonies when judges find it is appropriate based on the specific circumstances of the case.¹⁸⁶ Judges should not be confined to convicting first-time offenders of a misdemeanor if the harm to an animal is especially grave. These increased

183. IOWA CODE § 717B.1(1).

184. Hunting may very well be a form of cruelty to animals, but it is highly unlikely it will be banned given its popularity, in addition to its role in wildlife conservation. However, there is a difference between legally hunting animals and torturing animals for the simple purpose of being cruel. Torture of wild animals should not slip through the cracks of Iowa's laws. *See generally* IOWA CODE § 481A (regulating hunting and trapping in Iowa); *see also* Joshua Duclos, *Is Hunting Moral?*, BRINK (Feb. 9, 2017), <https://www.bu.edu/articles/2017/is-hunting-moral> [<https://perma.cc/E7YN-NN4E>] (discussing the moral implications of hunting); Andrew Moore, *The Role of Hunting in Wildlife Conservation, Explained*, COLL. NAT. RES. NEWS (Feb. 24, 2021), <https://cnr.ncsu.edu/news/2021/02/hunting-wildlife-conservation-explained> [<https://perma.cc/GM3L-7DEF>] (discussing the interaction between hunting and conservation).

185. *See supra* Section I.A.

186. *See* IOWA CODE § 717B.2(5) (providing that someone guilty of animal abuse is only guilty of a class D felony if they have been previously convicted under the section).

penalties will create stronger incentives to deter individuals from committing crimes against animals.¹⁸⁷

B. CREATING REPORTING LAWS

Iowa should implement cross- and veterinary-reporting laws.¹⁸⁸ For cross-reporting laws, Iowa can require two-way mandatory cross-reporting between humane services and agencies dedicated to protecting vulnerable people, especially children.¹⁸⁹ Specifically, humane services, such as the Iowa Department of Agriculture and Land Stewardship (“IDALS”) and the ARLI,¹⁹⁰ should notify CPS and the Dependent Adult Protective Services (“APS”) of suspected abuse and vice versa.¹⁹¹ Under Iowa law, certain professions, including social workers, are already designated as mandatory reporters of child and dependent adult abuse; therefore, reporting animal cruelty would simply be an expansion of a social worker’s existing duties. Additionally, the reporter’s identity when making a report of suspected animal abuse must be kept confidential, and civil immunity should be granted in order to protect the reporter from legal liability.¹⁹²

Iowa should also require veterinarians to report suspected animal abuse and provide veterinarians with immunity when they report suspected animal abuse.¹⁹³ As with cross-reporting, reports should be made to humane services,

187. Another benefit of strong laws is that they encourage respect for the government. See M.B. Rodriguez Ferrere, *Animal Welfare Underenforcement as a Rule of Law Problem*, ANIMALS 4 (May 30, 2022), <https://pmc.ncbi.nlm.nih.gov/articles/PMC9179835/pdf/animals-12-01411.pdf> [<https://perma.cc/EJQ5-CV8M>].

188. Iowa currently does not have such a law. See *Laws in Favor of Reporting of Animal Cruelty*, *supra* note 69. Iowa should utilize Illinois’s mandatory cross- and veterinary-reporting laws as an example. See 510 ILL. COMP. STAT. 70/18 (2022) (cross-reporting); *id.* 70/3.07 (veterinary reporting). Illinois is ranked highly by the ALDF for its animal protection laws. See Press Release, Animal Legal Def. Fund, Illinois Ranked Second Best State for Animal Protection Laws by Animal Legal Defense Fund (Feb. 1, 2023), <https://aldf.org/article/illinois-ranked-second-best-state-for-animal-protection-laws-2022> [<https://perma.cc/MHS7-MJJK>].

189. See *Laws in Favor of Reporting of Animal Cruelty*, *supra* note 69; 510 ILL. COMP. STAT. 70/18. Ideally, Iowa would also increase its spending on social service agencies in order to further support investigations into suspected abuse.

190. Animal Industry Bureau, IOWA DEP’T AGRIC. & LAND STEWARDSHIP, <https://iowaagriculture.gov/animal-industry-bureau> [<https://perma.cc/Q6RE-4ABE>]; Mission & Values, ANIMAL RESCUE LEAGUE IOWA, INC., <https://www.arl-iowa.org/about/mission-values> [<https://perma.cc/CG8P-FT9V>]; see 510 ILL. COMP. STAT. 70/18(b) (requiring reporting of suspected animal abuse to the Illinois Department of Agriculture’s Bureau of Animal Health and Welfare).

191. See *Child Protective Services*, IOWA DEP’T HEALTH & HUM. SERVS. (Aug. 22, 2024), <https://hhs.iowa.gov/programs/CPS> [<https://perma.cc/A6M7-5PJW>]; *Adult Protective Services*, IOWA DEP’T HEALTH & HUM. SERVS. (Aug. 22, 2024), <https://hhs.iowa.gov/programs/adult-protective-services> [<https://perma.cc/69RD-2LX4>]; see also 510 ILL. COMP. STAT. 70/18(a) (requiring reporting of suspected child abuse to the Department of Children and Family Services).

192. See 510 ILL. COMP. STAT. 70/18(c)–(d).

193. See Al-Alami, *supra* note 67, at 121–22; 510 ILL. COMP. STAT. 70/3.07.

such as the IDALS and the ARLI.¹⁹⁴ Granting immunity will protect veterinarians and avoid disincentives for reporting suspected cruelty.¹⁹⁵ With the implementation of cross- and veterinary-reporting laws, agencies in Iowa will be better equipped to discover and deal with instances of cruelty against all victims, both animal and human.

C. CREATING AN ANIMAL ABUSER REGISTRY

Iowa should create an animal abuser registry. A registry would serve as a form of deterrence for animal abusers because it would create stigma about being a known offender. It would also be beneficial because it would provide information to animal sellers and organizations, such as CPS and APS, seeking to prevent abuse.

The Tennessee Animal Abuse Registry and the SCAAOR can serve as models.¹⁹⁶ The Iowa registry would be best organized by requiring the name and picture of the convicted offender and information about the type of crime that was committed. For example, the registry should specify if the abuse was in the form of neglect, cruelty, or torture. Offenders should be listed on the registry for five years, and if the offender commits a subsequent animal cruelty offense, then the offender should be listed on the registry for ten years.¹⁹⁷ The registry should also require convicted animal abusers to pay an annual fee to assist with registry upkeep.¹⁹⁸ It would also be beneficial if the registry was made available to the public online through the Iowa Department of Public Safety website.¹⁹⁹

Additionally, animal sellers in Iowa should be required to check the animal abuser registry in order to make sure they are not providing animals to abusers.²⁰⁰ Animal sellers who have sold an animal to a convicted animal abuser should be fined. The registry would also serve as a resource for other organizations, like CPS, to better identify situations of both animal and human abuse.

194. See *Animal Industry Bureau*, *supra* note 190; *Mission & Values*, *supra* note 190.

195. Iowa should adopt the same or similar language as the Illinois reporting statutes. 510 ILL. COMP. STAT. 70/3.07.

196. See TENN. CODE ANN. § 40-39-103 (2019); *Animal Abuse Offender Registry*, *supra* note 98.

197. See TENN. CODE ANN. § 40-39-103(d) (requiring listing for two years after the first conviction and five years after subsequent convictions); *Animal Abuse Offender Registry*, *supra* note 98 (requiring listing for ten years after the first conviction and twenty after each subsequent conviction).

198. See *Animal Abuse Offender Registry*, *supra* note 98 (requiring an annual fee of fifty dollars).

199. *Divisions of the Iowa Department of Public Safety*, IOWA DEP'T PUB. SAFETY, <https://dps.iowa.gov/divisions-iowa-department-public-safety> [<https://perma.cc/6KzS-BLV8>]. This is where access to the Iowa Sex Offender Registry is located. *Home*, IOWA DIV. CRIM. INVESTIGATION, IOWA SEX OFFENDER REGISTRY (Dec. 31, 2024, 6:00 PM), <https://www.iowasexoffender.gov> [<https://perma.cc/42WM-UCGN>].

200. See *Animal Abuse Registry*, *supra* note 106.

D. IMPLEMENTING HUMANE EDUCATION

Iowa should protect against animal cruelty by requiring humane education. By helping the community to understand and care about animal cruelty, Iowa can more effectively prevent future offenses. Education about animal cruelty and animal rights should be established in schools in order to share information with children because teaching people at a young age about the importance of respecting all animals can build a more resilient community.²⁰¹ Partnering with the National Humane Education Society and ARLI would assist Iowa in creating and implementing humane education programs in schools.²⁰² Moreover, education in animal cruelty prevention must be made a mandatory part of rehabilitation for all animal abusers.²⁰³ Currently, judges have discretion to require humane education where they believe it to be necessary; however, this method may create inconsistency across sentencing in cases and jurisdictions.²⁰⁴ Therefore, Iowa should require the completion of an educational program for all persons convicted of animal abuse.²⁰⁵

There are many ways which Iowa can improve its animal cruelty protections and promote animal welfare. The above-mentioned changes to Iowa's laws are the bare minimum that Iowa must implement to adequately protect animals.

CONCLUSION

In 2023, “[t]he [IDALS] conducted a surprise inspection” on a dog breeding operation near Riverside, Iowa.²⁰⁶ During the inspection, the IDALS “found dogs were being kept in hot, dirty conditions and many were in a ‘state of distress.’”²⁰⁷ The dogs were matted, covered in fleas, and had a variety of other health issues such as dental diseases and yeast infections.²⁰⁸ “Some [of the dogs] were extremely nervous as well, including one dog that spent its examination ‘frozen in fear’”²⁰⁹ Following the inspection, the owner surrendered his breeding license, as well as 131 dogs, nine of which

201. See *Educators*, *supra* note 180; *The Humane Education and Advocacy Program*, *supra* note 124; see also *Humane Education Laws by State*, *supra* note 179 (providing a list of state humane education laws).

202. *Educators*, *supra* note 180; *The Humane Education and Advocacy Program*, *supra* note 124.

203. See IOWA CODE § 717B.3B (2024); *Online Animal Cruelty Prevention and Education Course*, *supra* note 182.

204. See IOWA CODE § 717B.3B; *Updating Iowa's Animal Protection Laws (Iowa)*, *supra* note 131.

205. See *Iowa Animal Cruelty Education Program*, COURSE FOR ANIMAL CRUELTY, <https://courseforanimalcruelty.com/states/IA> [<https://perma.cc/T8BW-WFSQ>].

206. Trish Mehaffey, *Iowa Puppy Mill Owner Convicted of Animal Neglect, Receives 1 Year Probation*, GAZETTE (June 12, 2024, 3:00 PM), <https://www.thegazette.com/crime-courts/puppy-mill-owner-convicted-of-animal-neglect-receives-1-year-probation> (on file with the *Iowa Law Review*).

207. *Id.*

208. *Id.*

209. *Id.*

subsequently died.²¹⁰ The owner was charged with animal cruelty and received one-year probation for his crimes against animals.²¹¹

Although it is certainly positive that Iowa inspectors were able to shut down a breeding operation that was a scene of horrible animal neglect, the punishment that the breeder received for his crimes, one-year probation, is extremely low. This case demonstrates that there is still not enough being done to protect animals in Iowa. Animal abusers are still able to get away with cruelty toward animals without receiving substantial punishment. However, there are changes that Iowa could make in order to adequately protect animals in the State. This Note has provided possible solutions that can assist Iowa in implementing positive change with regard to animal welfare.

210. *Id.*

211. *Id.*