



Union County Prosecutor's Office Animal Cruelty Informational Sheet

What is animal cruelty?

Illegal animal cruelty can include intentional abuse, such as beating or mutilating an animal, but it can also include neglect, such as failing to provide proper shelter, food, or medical care. In New Jersey, the relevant laws can be found under Title 4 of our statutes.

It is unlawful to:

- Directly or indirectly abuse, torment, overwork, torture, maim, poison, or cause serious bodily injury or the death of a living animal, including through the use of another living animal.
- Fail as the person charged with the care of an animal to provide the living animal with necessary care, including grooming, food, water, shelter, veterinary care, and a safe environment.
- Use or procure the use of an animal in any kind of sexual manner.
- Own, possess, keep, train, promote, purchase, or sell an animal for fighting or baiting purposes, or to arrange, witness, gamble on, or assist with animal fighting or baiting.
- Abandon a domesticated animal or a sick or disabled animal to die in a public place.
- Sell an animal with a contagious or infectious disease.

Pursuant to N.J.S.A. 4:22-17.2 and 17.5, it is unlawful to

- Expose a dog, pet, or service animal to harsh weather conditions for more than 30 minutes.
 - Leave an animal unattended in a vehicle under inhumane conditions adverse to the health of the animal.
- Never leave pets in a hot car.

What qualifies as harsh weather condition?

- 32 degrees or below, or 90 degrees or above
- Rain, snow, or sleet

In order to avoid a violation of this law, an owner or caretaker must provide an animal with proper shelter if the animal will be outside longer than 30 minutes.

What is proper shelter?

- Must be soundly built, in good repair, with adequate ventilation, water, light, and space to move and sit.
- Must be enclosed, have a solid roof and walls with a single opening, a floor which is not on the ground, insulation, dry bedding, and a windbreak at the entrance that is sufficient to keep the animal dry and maintain the animal's normal body temperatures.
- Must have adequate shade or a cooling area by natural or artificial means during times of excessive heat.

What is not proper shelter?

A crawl space under a building, or under steps, a deck, a stoop, in a parked car, in a shelter made with pressure-treated wood containing chemicals arsenic or chromium, or with a floor with wire or chain link, or if made of cardboard (4:22-17.3).

What must an owner or caretaker of a dog, pet, or service animal do during evacuations to avoid animal cruelty charges? N.J.S.A. 4:22-17.2

- When the State or local officials issue an order of evacuation due to emergency conditions, the owner or caretaker of the animal must make every effort to evacuate with the animal.
- If that is not possible, the animal must be delivered to a safe area not impacted by the emergency or taken to an indoor area free of hazards that is as protective of the animals as possible.
- If this occurs, local emergency responders must be alerted to the animal's location. It is unlawful to cruelly restrain your dog.

What is unlawful restraint?

- Tethering/tying up a female dog in heat or a dog less than four months old
- Tethering a dog between the hours of 11 p.m. and 5 a.m. (effective February 2019)
- Tethering a dog in an unoccupied building or in vacant property
- Tethering a dog in a manner that does not permit the dog continuous access to water
- Tethering a dog during harsh weather conditions for more than 30 minutes
- Tethering a dog with a choke collar, prong collar, head harness, or any other type of similar device other than a properly fitted body harness or buckle-type collar
- Tethering a dog with a chain with metal links or with a harness attached to a weight
- Tethering a dog with another dog
- Tethering a dog with a tether that is less than 15 feet long or doesn't allow the dog to walk at least 15 feet in any direction
- Tethering a dog that permits the dog to reach another dog or an object or location that poses a risk of entanglement, strangulation, drowning, or other harm

What should you do if you see animal cruelty?

Each police department has an assigned humane law enforcement officer, but any police officer can respond to reports of animal cruelty. Contact your local police and relay as many details as you can, including the location, date and time, and description of the people and animals involved. Video and photographic documentation can help bolster your case. It is also useful to give the names of others who may have witnessed the incident