



Humane World for Animals™

To: Honorable Members of the Vermont House Judiciary Committee
From: Joanne Bourbeau, Northeastern Regional Director, Humane World for Animals
Date: January 14, 2026
Re: Support for H. 578, An act relating to penalties and procedures for animal cruelty offenses

My name is Joanne Bourbeau and I'm the northeastern regional director for Humane World for Animals (formerly the Humane Society of the United States) residing in Whitingham, VT. Thank you, Chair LaLonde and Committee members, for the opportunity to speak today in strong support of this animal welfare bill.

I have lived and worked in Vermont for over 30 years in my current role, during which time I've consulted and worked side-by-side with law enforcement agencies across Vermont on animal welfare investigations. I'm also a regular instructor of animal cruelty investigations at the Vermont Police Academy. This past spring Humane World conducted a special training for animal control officers at the Vermont Law School on how to partner successfully with law enforcement on these cases.

Humane World strongly supports this bill because it fills a critical gap in how Vermont responds to cases of animal cruelty. Across the country, and here in Vermont, animal agencies are frequently called to assist law enforcement with large-scale cruelty cases involving dozens or even hundreds of animals who require extensive, long-term care.

Even though Humane World doesn't have investigatory powers here in Vermont I am often called on to provide an opinion and/or resources to support these investigations. The number one question law enforcement and municipal agencies have is "where are we going to bring the animals if we seize them." Sadly, my answer to that is typically "I don't know". As the Vermont Humane Federation (VHF) will attest, our statewide network of private non-profit animal shelters simply doesn't have the capacity or funding to hold seized animals indefinitely on behalf of the state.

Fortunately, there is a proven legislative solution to this problem reflected in the bill before you. Bond and forfeiture cost-of-care laws shift the financial responsibility for caring for animals seized due to cruelty from animal agencies and taxpayers to the animals' owners and help animals transition into new homes rather than languish in shelters.

The bill as introduced makes important improvements to Vermont's current civil forfeiture law by proposing an additional bond and forfeiture model. It allows not only the State, but also the shelter or agency caring for the animals, to request a cost-of-care hearing. That matters because custodial caregivers are highly motivated to resolve these cases quickly, while prosecutors often have many competing priorities.

The bill also simplifies the petition process by using a civil standard of proof showing that the seizure was lawful rather than requiring by a higher standard of proof that each animal was abused. This streamlined approach helps cases move faster, prevents prosecutors from having to prove their case twice, and helps avoid animals languishing in shelters.

Specifically, as proposed:

- This bill establishes a legal process whereby an agency caring for animals seized in cruelty cases can request that the judge require the defendant to post a bond to cover the cost of care.

- If the defendant fails to pay, the animals are forfeited and can be placed for adoption, reducing long-term shelter costs and speeding placement into loving homes.
- The bill includes due process protections: owners receive notice of a hearing on reasonable care costs and seizure legality, can challenge both, and the agency seeking a bond must prove the legality of the seizure and the reasonableness of costs.

States that have enacted bond and forfeiture cost-of-care laws have seen these provisions help law enforcement and shelters respond to cases of animal cruelty without busting budgets or leaving animals to languish. This approach is also fair to owners by ensuring opportunities to be heard to challenge the legality of the seizure and costs of animal care.

Nationally, a majority of states have effective cost-of-care laws as evidenced by the map I've provided. The legislation before you is modeled after those laws and they have proven to be a commonsense solution to protect abused animals and the due process rights of their owners.

One amendment that we'd like to propose to the cost of animal care section of the bill has to do with the hearing timelines. Currently the bill states:

"The hearing shall be conducted as promptly as possible after the court's receipt of return of service of process of the motion or petition on the owner." (Pg 17, Lines 7-9)

We recognize there can be challenges in mandating hearing timelines to the Judiciary, but this language is simply too vague and could allow abused animals to languish in a shelter environment, frustrating the very purpose of the law. We would offer the following language as a replacement to that section. It's important to note that our current civil forfeiture procedure also mandates a hearing within 21 days but adds a provision that notes "time limits under this subsection shall not be construed as jurisdictional." (Title 13, Chapter 8, § 354, (e) 1)

*(n)(1) Upon the court's receipt of return of service of process of the motion or petition on the owner, the court shall set a hearing on the motion or petition to determine the need to care for the animal or animals pending final disposition of the criminal charges. **The hearing shall be conducted no less than 10 and no more than 15 business days after the court's receipt of return of service of process of the motion or petition on the owner.** Any humane officer is authorized to serve written notice on the owner of the date, time, and location of the hearing. If no name and address for the owner are set forth in the motion or petition, then such notice shall be posted in a conspicuous place at the location where the animal or animals were seized. **Time limits under this section shall not be construed as jurisdictional.**"*

We also recommend adding the term "cohabitate with" to the future forfeiture rights of convicted animal abusers. One way animal abusers get around this sentencing provision is to simply give ownership of their animal to someone else they are living with. The suggested changes would look like this:

*"Forfeit any future right to own, possess, **cohabitate with** or care for any animal for a period that the court deems appropriate of not less than five years. (H. 578, Page 8, lines 19-29)*

*"Permit periodic unannounced visits for a period up to one year by a humane officer to inspect the care and condition of any animal ~~permitted by the court to remain in the care, custody, or possession of the defendant~~ beginning after the end of the five-year prohibition to own, possess, **cohabitate with** or care for an animal for a period as described in subdivision (3) of this subsection. Such period may be extended by the court upon motion made by the State. (H. 578, Page 9, lines 9-14)*

We are also extremely supportive of making the crime of animal sexual abuse a felony. According to the American Academy of Psychiatry and Law, the number of bestiality-related arrests has risen by nearly 800% since 2000. In 2017, Vermont took an important step forward by enacting legislation explicitly prohibiting sexual contact with animals, closing a longstanding gap in state law and aligning Vermont with the majority of other

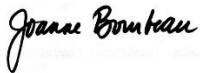
states. This was a significant advancement in protecting animals from abuse. However, real-world cases since then have revealed remaining deficiencies in the statute. These gaps hinder law enforcement's ability to investigate and prosecutors' ability to effectively charge and convict offenders in certain circumstances of animal sexual abuse.

A stronger, more comprehensive law is essential—not only to safeguard animals but also to address broader public safety concerns. Extensive research, including clinical assessments of sexual offenders, demonstrates a well-documented link between bestiality and an elevated risk of child sexual abuse. For example, in a large-scale study of over 44,000 adult males evaluated for sexual misconduct, sexual contact with animals emerged as the single strongest predictor of increased risk for sexually molesting a child. (This finding, presented by researchers including Gene Abel and colleagues, has been cited in forensic psychiatry and psychology literature as a key risk indicator.)

Offenders often connect through online platforms and websites, where they exchange information, trade animals, rent them, or sell them specifically for sexual purposes. These networks—and the broader population engaging in animal sexual abuse—have exploited weaknesses in Vermont's current law, particularly the absence of explicit prohibitions on creating, possessing, or disseminating videos or images depicting such abuse (commonly referred to as animal sexual pornography or "zoophilic" content). Given the strong connection between animal sexual abuse and child abuse, we would also be supportive of making sharing this type of pornography with a minor a felony.

H.578 directly addresses these shortcomings by closing critical loopholes, including clear bans on the production and distribution of such material. These updates would empower authorities to more effectively disrupt online networks, prevent further exploitation of animals, and intervene earlier in patterns of behavior that research links to serious interpersonal harms.

This bill represents a targeted, evidence-informed improvement that enhances animal protection, strengthens enforcement, and contributes to community safety. For these reasons, Humane World urges a favorable report on this bill. Thank you.



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