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2024 Edition

Dog Law in Connecticut

A Guide to Resources in the Law Library

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View our other research guides at
<https://jud.ct.gov/lawlib/selfguides.htm>

This guide links to advance release opinions on the Connecticut Judicial Branch website and to case law hosted on Google Scholar and Harvard's Case Law Access Project. The online versions are for informational purposes only.

References to online legal research databases refer to in-library use of these databases. Remote access is not available.

[Connecticut Judicial Branch Website Policies and Disclaimers](https://www.jud.ct.gov/policies.htm)

<https://www.jud.ct.gov/policies.htm>

Introduction

A Guide to Resources in the Law Library

- "Because this court has not considered the appropriate standards and procedures that apply in this precise context, we turn to other jurisdictions for guidance. In the five cases in which courts have considered challenges to a trial court's decision to permit a dog to sit with a testifying witness to provide comfort and support, all have concluded that the trial court may exercise its discretion to permit such an accommodation." [State of Connecticut v. Devon D.](#), 321 Conn. 656, 683, 138 A.3d 849 (2016).
- "The Frys' complaint alleges only disability-based discrimination, without making reference to the adequacy of the special education services E.F.'s school provided. The school districts' 'refusal to allow Wonder to act as a service dog,' the complaint states, 'discriminated against [E.F.] as a person with disabilities...by denying her equal access' to public facilities." [Fry v. Napoleon Community Schools](#), 137 S. Ct. 743, 758 (2017).
- Conn. Gen. Stat. [§ 22-354a](#). Payment contracts and lease agreements for ownership of dogs or cats. Voided. Ownership of affected dog or cat. Exemptions.
- *Acts Affecting Animals & Agriculture*, Janet Kaminski, Connecticut General Assembly, Office of Legislative Research Report [2019-R-0137](#) (July 19, 2019).
- "Any person who maliciously and intentionally maims, mutilates, tortures, wounds or kills an animal shall, (1) for a first offense, be guilty of a Class D felony, and (2) for any subsequent offense, be guilty of a Class C felony...." Conn. Gen. Stat. [§ 53-247\(b\)](#) (2023).
- "Any person who intentionally interferes with a blind, deaf or mobility impaired person's use of a guide dog or an assistance dog, including, but not limited to, any action intended to harass or annoy the blind, deaf or mobility impaired person, the person training a dog as a guide dog or assistance dog or the guide dog or assistance dog, or who denies the rights afforded to a blind, deaf or mobility impaired person or person training a dog as a guide dog or an assistance dog under subsection (a) or (b) of this section shall be guilty of a class C misdemeanor, provided such blind, deaf or mobility impaired person or person training a dog as a guide dog or an assistance dog complies with the applicable provisions of subsection (a) or (b) of this section." Conn. Gen. Stat. [§ 46a-44\(c\)](#) (2023).
- **"Appointment of advocate in proceeding re the welfare or custody of a cat or dog. Advocate's duties. Department of Agriculture to maintain list of eligible advocates.** (a) In any prosecution under section 53-247, or in any court proceeding pursuant to section 22-329a or in the criminal session of the Superior Court regarding the welfare or custody of a cat or dog, the court may order, upon its own initiative or upon request of a party or counsel for a party, that a separate advocate be appointed to represent the interests of justice. If a court orders that an advocate be appointed to represent the interests of justice, the court shall appoint such advocate from a list provided to the court by the Commissioner of Agriculture pursuant to subsection (c) of

this section. A decision by the court denying a request to appoint a separate advocate to represent the interests of justice shall not be subject to appeal.

(b) The advocate may: (1) Monitor the case; (2) consult any individual with information that could aid the judge or fact finder and review records relating to the condition of the cat or dog and the defendant's actions, including, but not limited to, records from animal control officers, veterinarians and police officers; (3) attend hearings; and (4) present information or recommendations to the court pertinent to determinations that relate to the interests of justice, provided such information and recommendations shall be based solely upon the duties undertaken pursuant to this subsection.

(c) The Department of Agriculture shall maintain a list of attorneys with knowledge of animal issues and the legal system and a list of law schools that have students, or anticipate having students, with an interest in animal issues and the legal system. Such attorneys and law students shall be eligible to serve on a voluntary basis as advocates under this section. The provisions of sections 3-14 to 3-21, inclusive, of the Connecticut Practice Book shall govern a law student's participation as an advocate under this section."

Conn. Gen. Stat. [§ 54-86n](#) (2023).

- "Any person who has knowledge of causing, by the operation of a motor vehicle, injury or death to a dog shall at once stop and render such assistance as may be possible, shall immediately report such injury or death to such dog's owner or such owner's representative and shall give his name, address and operator's license and registration numbers to such owner or representative or any witness or peace officer. If unable to ascertain and locate such owner or representative, such operator shall, at once, report the injury or death to a police officer, constable, state police officer or inspector of motor vehicles, to whom he shall give the location of such accident and a description of the dog. Violation of any provision of this section shall be an infraction." Conn. Gen. Stat. [§ 14-226](#) (2023).
- "All dogs are deemed to be personal property." Conn. Gen. Stat. [§ 22-350](#) (2023).

Section 1: Control of Dogs in Connecticut

A Guide to Resources in the Law Library

SCOPE: Bibliographic resources relating to breeding, selling, purchasing, registering, and training of dogs in Connecticut.

SEE ALSO:

- [Table 1](#). Disposal Orders: Hearing Before Department of Agriculture
- [Table 2](#). Disposal Orders: Appeal to Superior Court

DEFINITIONS: Conn. Gen. Stat. § [22-327](#) (2023) (Amended by [P.A. 24-69](#), sec. 1.)

- **Animal** means any brute creature, including, but not limited to, dogs, cats, monkeys, guinea pigs, hamsters, rabbits, birds and reptiles;
- **Chief Animal Control Officer, Assistant Chief Animal Control Officer and animal control officer** mean, respectively, the Chief State Animal Control Officer, the Assistant Chief State Animal Control Officer and a state animal control officer appointed under section 22-328;
- **Commercial kennel** means a place maintained for boarding or grooming dogs or cats, and includes, but is not limited to, any veterinary hospital which boards or grooms dogs or cats for nonmedical purposes;
- **Commissioner** means the Commissioner of Agriculture;
- **Grooming facility** means any place, other than a commercial kennel, which is maintained as a business where dogs are groomed;
- **Keeper** means any person, other than the owner, harboring or having in his possession any dog;
- **Kennel** means one pack or collection of dogs which are kept under one ownership at a single location and are bred for show, sport or sale;
- **Municipal animal control officer** means any such officer appointed under the provisions of section 22-331;
- **Pet shop** means any place at which animals not born and raised on the premises are kept for the purpose of sale to the public;
- **Poultry** has the same meaning as provided in section 22-326s;
- **Regional animal control officer and assistant regional animal control officer** means a regional Connecticut animal control officer and an assistant regional Connecticut animal control officer appointed under the provisions of section 22-331a;
- **Training facility** means any place, other than a commercial kennel or grooming facility, which is maintained as a business where dogs are trained;

- **Service animal** has the same meaning as provided in 28 CFR 35.104 and includes any animal in training to become a service animal.

Conn. Gen. Stat. § [22-380e](#) (2023).

- **Pound** means any state or municipal facility where impounded, quarantined or stray dogs, cats or other domestic animals are kept or any veterinary hospital or commercial kennel where such dogs, cats or other domestic animals are kept by order of a municipality;

CT STATUTES:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

Conn. Gen. Stats. (2023).

- [Chapter 248](#). Vehicle highway use.
§ [14-226](#). Operator to report injury to dog.
§ [14-272b](#). Transport of dogs in pick-up trucks.
Restrictions.
- [Chapter 384](#). Veterinary Medicine.
§ [20-205a](#). Disposition of abandoned animals.
§ [20- 205b](#). Euthanization of cat or dog by licensed veterinarian. Exceptions. Penalty. Defense.
- [Chapter 435](#). Dogs and other companion animals.
§ [22-331](#). Municipal animal control officers. Assistants.
§ [22-331a](#). Regional animal control officers. Pounds.
§ [22-332](#). Impoundment and disposition of roaming, injured or mistreated animals. Authority to spay or neuter unclaimed dog. Liability for provision of veterinary care to injured, sick or diseased impounded animal.
§ [22-332d](#). Impoundment and disposition of certain cats. Authority to spay or neuter unclaimed cat.
§ [22-332e](#). Regional or municipal dog pound contract with animal rescue organization for veterinary treatment of injured, sick or diseased animal. Contract requirements. Department of Agriculture complaint. Maintenance of list of animal rescue organizations.
§ [22-333](#). Redemption of impounded dog, cat or other animal.
§ [22-335](#). Removal of municipal animal control officer. Complaint against municipal animal control officer.
§ [22-336](#). Towns to provide pounds or other suitable facilities. Regulations. Enforcement.
§ [22-338](#). Licensing of dogs. Fees. Penalties. Rabies certificate.
§ [22-339](#). Licensing of dogs which are six months of age or older by new owners. Fees.
§ [22-339a](#). Town clerks may deputize agents for the issuance of licenses. Licensing of dogs acquired from dog pounds. Fees.

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

- § [22-339b](#). Rabies vaccination required for dogs and cats. (Amended by [P.A. 24-69](#), sec. 8)
- § [22-339c](#). Certificate of rabies vaccination.
- § [22-340](#). Town clerk to provide licenses and tags.
- § [22-341](#). Tag or plate to be attached to dog collar or harness.
- § [22-342](#). Kennel licenses. Certain breeders to be licensed. Inspection of kennel facilities.
- § [22-343](#). Temporary placing of dog.
- § [22-344](#). Licensing of commercial kennel, pet shop, training facility or grooming facility. Fees. Inspection.
- § [22-344a](#). Euthanasia of animals by pet shops.
- § [22-344b](#). Pet shop required to have dogs and cats examined by veterinarian. Replacement or refund.
- § [22-344c](#). Licensure of breeding facilities by towns.
- § [22-344d](#). Signs required in pet shops selling dogs.
- § [22-344e](#). License required for procurement of dog or cat for resale. Exception. Penalty.
- § [22-344f](#). Veterinarian examination of cat or dog imported into state by animal importer or person operating or maintaining animal shelter. Records of veterinary services rendered. Fines.
- § [22-345](#). License and tag for guide dogs for blind, deaf or mobility impaired persons. (Amended by [Public Act No. 24-18](#), Sec 2, 6)
- § [22-347](#). Use of license fees.
- § [22-348](#). Allocation of license fees to The University of Connecticut. Balance to towns.
- § [22-349](#). Unlicensed dogs. Regulations. Impoundment.
- § [22-350](#). Dogs as personal property. Tax exemption. Theft.
- § [22-352](#). Change of residence of owner.
- § [22-354](#). Imported dogs and cats. Certificates of health. Importation from rabies quarantine area. Sale of young puppies and kittens. Sale of dogs by pet shop licensees. Certificate of origin required.
- § [22-354a](#). Payment contracts and lease agreements for ownership of dogs or cats. Voided. Ownership of affected dog or cat. Exemptions.
- § [22-358](#). Killing of dogs doing damage. Quarantine of biting dogs, cats, or other animals. Notice. Seizure. Euthanasia and examination of potentially rabid animals. (Amended by [Public Act No. 24-18](#), Sec 9)
- § [22-359](#). Control of rabies. Quarantine. Regulations.
- § [22-359a](#). Clinic for vaccination against rabies.
- § [22-359b](#). Rabies vaccine.
- § [22-359e](#). Tags and certificates indicating
- § [22-364](#). Dogs roaming at large. Intentional or reckless subsequent violation.

§ [22-365](#). Obstruction of commissioner or any animal control officer. Penalty.
§ [22-367](#). General penalty. Enforcement. ([2024 Supplement](#) as Amended by [Public Act No. 24-69](#), Sec. 2)
§ [22-367a](#). Regulations.

- [Chapter 436a](#). Animal population control.
§ [22-380f](#). Payment for adoption of unsprayed or unneutered dog or cat. Connecticut Humane Society exemption. Report. Termination of exemption. (Amended by [P.A. 24-69](#), sec. 3.)
§ [22-380g](#). Animal population control account. Distribution of forms. Programs for vaccination and sterilization of cats and dogs. Funds. Suspension of programs.
§ [22-380h](#). Participation veterinarians. Requirements.
§ [22-380i](#). Payments to participating veterinarians for sterilizations and vaccinations performed.
§ [22-380j](#). Procedure for abandonment of dogs or cats in program.
§ [22-380k](#). Report re operation of program.
§ [22-380l](#). Surcharge on licensure of unsprayed or unneutered dogs.
§ [22-380m](#). Regulations.
- [Chapter 490](#). Fisheries and game.
§ [26-39](#). Hunting licenses for owners of packs of dogs.
§ [26-49](#). Training of hunting dogs. Permits for liberation of artificially propagated birds.
§ [26-51](#). Permits for field dog trials. Fees.
§ [26-52](#). Permits for shooting birds liberated at field dog trials. Fees.
§ [26-79](#). Hunting in Putnam Memorial Camp grounds.

REGULATIONS:

You can visit your local law library or browse the [Connecticut eRegulations System](#) on the Secretary of the State website to check if a regulation has been updated.

Regulations of Connecticut State Agencies
Title 22 Agriculture, Domestic Animals
§ [22-332b-1-§22-332b-11](#). Use of living dogs for medical or biological teaching, research or study
§ [22-336-13-§22-336-30](#). Standards for the construction and improvement of dog pounds
§ [22-344-33](#). Condition of Commercial Kennel Facilities
§ [22-344-34-§22-344-38](#). Commercial Kennel Facilities
§ [22-344-45-§22-344-51](#). Pet shop
§ [22-344-55-§22-344-60](#). Grooming facility
§ [22-344-65-§22-344-70](#). Training facility
§ [22-349-1-§22-349-5](#). Surveys for unlicensed dogs
§ [22-359-1-§22-359-5](#). Control of rabies in public settings

§ [22-380m-1-§22-380m-5](#). Animal population control program

PUBLIC ACTS:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

- [Public Act No. 24-18](#), Sec. 2, 6, 9 "An Act Aligning State Law With Federal Law Concerning Service Animals."
- [Public Act No. 24-69](#), Sec. 1, 3, 8 "An Act Concerning Minor Revisions to Aquiculture Related Statutes and To Open Space Acquisition Related Statutes."
- [Public Act No. 23-17](#) § 4, 5, 6, 7, 8, 10, 11, 13 "An Act Concerning Revisions to Certain Domestic Animal Related Statues." (Effective from passage.)
- [Public Act No. 23-138](#), § 2 "An Act Requiring the Department of Agriculture to Revise Municipal Animal Shelter Regulations." (Effective from passage.)
- [Public Act No. 23-184](#) § 12 "An Act Revising Certain Farming and Aquaculture Programs of the Department of Agriculture." (Effective from passage.)
- [Public Act No. 187](#), § 28 "An Act Concerning the Regulation of Livestock" (Effective from passage.)
- [Public Act No. 22-54](#) (Jan Sess.), sec. 5. An Act Concerning Agriculture Development and Innovation.
- [Public Act No. 19-8](#) (Jan. Sess.), sec. 1. An Act Concerning Regional Animal Control Shelters.
- [Public Act No. 19-82](#) (Jan. Sess.) An Act Prohibiting the Use of Certain Contracts for the Sale or Lease of Cats and Dogs.
- [Public Act No. 19-156](#) (Jan. Sess.), sec. 1. An Act Exempting Certain Persons Engaged in the Boarding of Cats and Dogs from the Requirement to Obtain a License to Operate a Commercial Kennel.

OLR REPORTS:

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- *Quarantine Period for Animal with a Wound of Unknown Origin*, Janet Kaminski Leduc, Connecticut General Assembly, Office of Legislative Research Report, [2019-R-0261](#) (October 24, 2019).
- *Connecticut Pet Shop Laws*, Janet Kaminski Leduc, Connecticut General Assembly, Office of Legislative Research Report, [2019-R-0163](#) (August 13, 2019).
- *Municipal Enforcement Action Against a Pet Shop*, Janet Kaminski Leduc, Connecticut General Assembly, Office of

Legislative Research Report, [2016-R-0280](#) (November 3, 2016).

- *Animal Control Officers*, Janet Kaminski Leduc, Connecticut General Assembly, Office of Legislative Research Report, [2016-R-0111](#) (June 8, 2016).
- *Process for Investigation Complaints Against Veterinarians*, James Orlando, Connecticut General Assembly, Office of Legislative Research Report, [2016-R-0088](#) (May 16, 2016).
- *Dog Policies at State Parks and Municipal Beaches*, Julia Singer Bansal, Connecticut General Assembly, Office of Legislative Research Report [2014-R-0133](#) (May 6, 2014).
- *Pet Friendly Shelters*, Janet L. Kaminski Leduc, Connecticut General Assembly, Office of Legislative Research Report, [2011-R-0323](#) (October 31, 2011).

CASE LAW:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Chapnick v. DiLauro](#), 212 Conn. App. 263, 270, 275 A.3d 746, 751 (2022). "The nuisance claims are based on allegations that Flaherty brought her dog to urinate and defecate near the windows of the Chapnicks' condominium units, a behavior that Popolizio allegedly encouraged one or more residents to engage in, resulting in an interference with the Chapnicks' use and enjoyment of their property and with the quality of their lives. As to the nuisance claims against Flaherty, the Chapnicks further alleged that they 'do not want to have feces residue and soaked in urine on the lawn beneath the windows' of their condominium units."

"The alleged private nuisance of a neighbor walking a dog and permitting it to relieve itself in a location that is disagreeable to another neighbor, while a third neighbor encourages such behavior, does not fit within the ambit of protected constitutional conduct as defined by the anti-SLAPP statute." (p. 270-271).

- [Bailey v. Zoning Board of Appeals of Town of New Milford](#), Superior Court, Judicial District of Litchfield, No. CV-19-6020487-S (August 31, 2020) (70 Conn. L. Rptr. 237) (2020 WL 5606849) "The ZEO testified at the hearing that beginning in 2015 her office began receiving complaints from the neighbors citing 'incessant barking from at times 15 dogs in outside runs, disrupting the daily life of the families and the use and enjoyment of their properties.'"

"The property is located in a R-40 single-family residential district."

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

"The plaintiff addresses the noise issue by arguing that there is nothing abnormal about the barking of several dogs because any residence is entitled to have dogs which would bark when they are outside. Further all but a few of the dogs at the plaintiff's business are not owned or co-owned by the owner of the residence." (p. 238)

"The overwhelming testimony about noise is evidence of noise beyond what is normal for a single-family residence. The totality of the evidence is certainly supportive of a finding that the business is not clearly incidental and secondary to the use of the dwelling for a residential purpose." (p. 239)

- Lamoureux v. Town of Thompson, Superior Court, Judicial District of Windham, No. CV14-6008611-S (July 13, 2016) (2016 WL 4253474). "The defendant, Morning Star, is...the owner of the premises...where it operates a dog boarding and grooming business. The predecessor of Morning Star received a variance dated March 11, 2002 and recorded in the Thompson Land Records...Morning Star's property is located in a R40 district and, but for the variance, would not be allowed to operate a dog kennel. The plaintiffs are the owners of premises...which abut the subject property. On October 17, 2013... [the] director of planning and development for the Town, issued a notice to Morning Star indicating that in the opinion of the staff, the operation exceeded the scope of the variance approved in 2002. The notice advised Morning Star that if they disagreed with the decision, they had a right to appeal to the Zoning Board of Appeals. Morning Star appealed." (p. 1)

"...Nothing on the face of the variance, by Morning Star's account, indicates that there were any conditions imposed when it was granted. In the alternative, Morning Star argues that even if the public records could be consulted, there is nothing on the record suggesting that the variance was granted with the conditions that the plaintiff's claim were imposed." (p. 5)

- Lowney v. Zoning Board Of Appeals of The Black Point Beach Club Association, 144 Conn. App. 224, 227, 71 A.3d 670 (2013). "The court concluded that the proposed dog grooming business properly could be considered a home occupation under the regulations, but that because an attached garage was not part of a dwelling under the regulations, and home occupations must be conducted in a dwelling, the board properly upheld the zoning enforcement officer's denial of the plaintiff's application."

- [Mattison v. East Lyme Zoning Commission](#), Superior Court, Judicial District of New London, No. CV08-4008852 (March 24, 2011) (2011 WL 1410104) (2011 Conn. Super. LEXIS 712). "There is substantial evidence in the record that the proposed kennel would impair the value of adjacent land and that it would not be in keeping with the orderly development of the district. (p. 28-29)
- [Graff v. Zoning Board of Appeals of Town of Killingworth](#), 277 Conn. 645, 650-651, 894 A.2d 285 (2006). "The commission also received an opinion from the town counsel endorsing Jefferson's methodology, and concluding that fourteen dogs on a residential lot was not customary and was a violation of the accessory use provision of the town regulations. Following discussion and review of Jefferson's data, as well as the opinion of the town counsel, the commission voted in favor of a resolution that the keeping four dogs or less in any household constituted a permissible accessory use of residential property. Conversely, the commission determined that any homeowner keeping more than four dogs would be in violation of the town regulations."

**WEST KEY
NUMBERS:**

- Animals
 - #1.5. Animals as property; status
 - (4) Dogs
 - #2.5. Licensing
 - #3.5. Regulation in general
 - #47. Running at large
 - #49. – Statutory regulations in general
 - #51. Impounding animals at large
- West's Connecticut Digest: Animals
See West Key Numbers listed above

DIGESTS:

ENCYCLOPEDIAS:

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- 4 Am Jur 2d Animals, Thomson West, 2018 (also available on Westlaw).
 - II. Property rights in animals
 - § 4. Domestic pets; dogs and cats
 - § 5. Indicia of ownership
 - § 9. Action for conversion
 - III. Governmental regulation and control
 - § 19. Regulation of dogs
 - § 20. Regulation of dogs—Pit bull terriers
 - § 21. Regulation of dogs—Registration and licensing
 - § 22. Regulation of dogs—Summary destruction
 - IV. Animals running at large or trespassing
 - §§ 40—46. In general; animals running at large
 - §§ 47—48. Lost or abandoned animals; Estrays
 - V. Nuisances
 - § 54. Particular kinds of animals and places—Dogs and cats

- 3 CJS Animals, Thomson West, 2023 (Also available on Westlaw).
 - II. Property in animals
 - § 5. Rights in dogs
 - III. Licensing and regulation
 - §§ 12-16. Dogs in general
 - §§ 17-21. Pit bull terriers
 - XIII. Estrays
 - §§ 248-251. In general
 - §§ 252-254. Notice of taking up
 - §§ 255-262. Rights and liabilities of taker up
 - §§ 263-265. Rights and liabilities of owner
 - XIV. Animals running at large
 - § 269. In general--Special rules relating to dogs
 - XVIII. Pounds and poundkeepers
 - §§ 532-536. Pounds
 - §§ 537-545. Poundkeepers
 - §§ 546-550. Rescue and pound breach
 - XIX. Miscellaneous regulations
 - §§ 551-554. Registration of pedigreed animals

TEXTS & TREATISES:

Each of our law libraries own the Connecticut treatises cited. You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the other treatises cited or to search for more treatises.

References to online databases refer to in-library use of these databases. Remote access is not available.

- *101 Law Forms for Personal Use*, 11th ed., Nolo, 2020.
Form 59 – Bill of Sale for Dog
- *Pet Law and Custody*, by Barbara J. Gislason, American Bar Association, 2017.
Chapter 5. Contract Law and the Uniform Commercial Code
- *Understanding Animal Law*, 4th ed., by Adam P. Karp, Carolina Academic Press, 2016.
Chapter 3. Contractual disputes involving animals and the UCC
Chapter 7. Veterinary malpractice
Chapter 10. Landlord-tenant disputes
Chapter 15. Animal Welfare Act
- *Litigating Animal Law Disputes: A Complete Guide for Lawyers*, Joan Schaffner and Julie Fershtman, editors, American Bar Association, 2009.
Chapter 4. Veterinary malpractice
Chapter 5. Animal-related contract and sales disputes
Chapter 8. Legal issues involving animal associations and individuals helping animals
- *Every Dog's Legal Guide*, 7th ed., by M. Randolph, J.D., Nolo, 2012.
Chapter 3. Buying and selling dogs
Chapter 5. Veterinarians
- Claire Prober, *The Pragmatic Justification for Extending Additional Statutory Protection to Animals*, 53 Suffolk U.

LAW REVIEWS:

Public access to law review databases is available on-site at each of our [law libraries](#).

L. Rev. 1 (2020).

- Erica LaVoy, [The PETS Act and beyond: A Critical Examination of the PETS Act and What the Future of Disaster Planning and Response for Animals Should Be](#), 40 Mitchell Hamline L. J. Pub. Pol'y & Prac. 67 (2019).
- Mackenzie Landa, [From War Dogs to Service Dogs: The Retirement and Adoption of Military Working Dogs](#), 24 Animal L. 39 (2018).
- Paige Reim, [Breed-Specific Dog Laws: Moving the United States Away from an Anti-Pit Bull Mentality](#), 14 J. Animal & Nat. Resource L. 159 (2018).
- Larry Cunningham, [The Case Against Dog Breed Discrimination by Homeowners' Insurance Companies](#), 11 Conn. Ins. L.J. 1 (2004-2005).

Table 1: Disposal orders: Hearing before Department of Agriculture

| Hearing Before the Administrative Agency | |
|--|---|
| SEE ALSO: | <ul style="list-style-type: none"> • Table 2: Disposal Order – Appeal to Superior Court |
| STATUTES: | <p>You can visit your local law library or search the most recent statutes and public acts on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.</p> <ul style="list-style-type: none"> • "The commissioner, the Chief Animal Control Officer, any animal control officer, any municipal animal control officer or any regional animal control officer may make any order concerning the . . . disposal of any biting dog, cat or other animal as the commissioner or such officer deems necessary. Notice of any such order shall be given to the person bitten by such dog, cat or other animal within twenty-four hours. . . Any person aggrieved by an order of any municipal animal control officer, the Chief Animal Control Officer, any animal control officer or any regional animal control officer may request a hearing before the commissioner within fourteen days of the issuance of such order. After such hearing, the commissioner may affirm, modify or revoke such order as the commissioner deems proper." Conn. Gen. Stat. § 22-358(c) (2023) (Emphasis added) (Amended by Public Act No. 24-18, Sec 9 and Public Act 24-108, Sec 28, Effective October 1, 2024) • "If such officer finds that the complainant's animal has been bitten or attacked by a dog when the attacked animal was not on the premises of the owner or keeper of the attacking dog and provided the complainant's animal was under the control of the complainant or on the complainant's property, such officer, the commissioner, the Chief Animal Control Officer or any animal control officer may make any order concerning the restraint or disposal of such attacking dog as the commissioner or such officer deems necessary. . . A person aggrieved by an order of the Chief Animal Control Officer or any animal control officer, municipal animal control officer or regional animal control officer made pursuant to this subsection may request a hearing before the commissioner not later than fourteen days after the issuance of such order. After such hearing, the commissioner may affirm, modify or revoke such order as the commissioner deems proper." Conn. Gen. Stat. § 22-358(h) (2023) (Emphasis added) (Amended by Public Act No. 24-18, Sec 9 and Public Act No. 24-108, Sec 28) • Conn. Gen. Stat. (2023) Chapter 54. Uniform Administrative Procedures Act § 4-167. Rules of practice. Public inspection. Enforceability. |

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| | <p>§ 4-176e. Agency hearings.</p> <p>§ 4-177. Contested cases. Notice. Record.</p> <p>§ 4-177a. Contested cases. Party, intervenor status.</p> <p>§ 4-177b. Contested cases. Presiding officer.</p> <p>Subpoenas and production of documents.</p> <p>§ 4-177c. Contested cases. Documents. Evidence. Arguments. Statements.</p> <p>§ 4-178. Contested cases. Evidence.</p> <p>§ 4-178a. Contested cases and declaratory ruling proceedings. Review of preliminary, procedural or evidentiary rulings.</p> <p>§ 4-179. Agency proceedings. Proposed final decision.</p> <p>§ 4-180. Contested cases. Final decision. Application to court upon agency failure.</p> <p>§ 4-180a. Indexing of written orders and final decisions.</p> <p>§ 4-181. Contested cases. Communications by or to hearing officers and members of an agency.</p> <p>§ 4-181a. Contested cases. Reconsideration. Modification.</p> |
| <p><u>PUBLIC ACTS:</u></p> | <ul style="list-style-type: none"> • Public Act No. 24-18, Sec 9, "An Act Aligning State Law With Federal Law Concerning Service Animals." |
| <p><u>REGULATIONS:</u></p> <div style="border: 1px solid black; padding: 5px;"> <p>You can visit your local law library or browse the Connecticut eRegulations System on the Secretary of the State website to check if a regulation has been updated.</p> </div> | <ul style="list-style-type: none"> • Title 22. Agriculture. Domestic Animals <ul style="list-style-type: none"> Description of Organization and Rules of Practice <ul style="list-style-type: none"> ARTICLE 2 - RULES OF PRACTICE <ul style="list-style-type: none"> Part 1 - General Provisions <ul style="list-style-type: none"> 22-7-8 Procedure governed 22-7-9 Definitions 22-7-10 Waiver of rules 22-7-11 Procedure for the issuance, amendment or repeal of a regulation 22-7-12 Computation of time 22-7-13 Extensions of time 22-7-14 Consolidation 22-7-15 Rejection for incompleteness Part 2 - Formal Requirements <ul style="list-style-type: none"> 22-7-16 Office 22-7-17 Date of filing 22-7-18 Identification of communications 22-7-19 Signatures 22-7-20 Formal requirement as to documents and other papers filed in proceedings ARTICLE 3 - CONTESTED CASES <ul style="list-style-type: none"> Part 1 - Parties and Participation <ul style="list-style-type: none"> 22-7-21 Designation of parties 22-7-22 Application to be designated a party 22-7-23 Procedure concerning added parties |

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| | <p>Part 2 - Hearing, General Provisions</p> <p>22-7-24 Place of hearings</p> <p>22-7-25 Notice of hearings</p> <p>22-7-26 Representation of parties</p> <p>22-7-27 Informal conferences</p> <p>22-7-28 Attorney defined</p> <p>22-7-29 Rules of conduct</p> <p>Part 3 - Hearings, Procedure</p> <p>22-7-30 General provisions</p> <p>22-7-31 Record in contested case</p> <p>22-7-32 Filing of added exhibits</p> <p>22-7-33a Rules of evidence</p> <p>22-7-34 Order of procedure at hearings</p> <p>22-7-35 Limiting number of witnesses</p> <p>Part 4 - Hearings, Decision</p> <p>22-7-36 Filing of proposed findings of facts and briefs</p> <p>22-7-37 Final decision</p> <p>22-7-38 Original records</p> |
| <p>CASES:</p> <p>Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can contact your local law librarian to learn about the tools available to you to update cases.</p> | <p>Speer v. Connecticut Department of Agriculture, 183 Conn. App. 298, page 300, footnote 2, 192 A.3d 489 (2018). “Administrative hearings to consider appeals of disposal orders issued pursuant to § 22-358 (c) are conducted in accordance with the Uniform Administrative Procedure Act ... General Statutes § 4-166 et seq.; and the department rules of practice, specifically, §§ 22-7-20 through 22-7-38 of the Regulations of Connecticut State Agencies. Pursuant to General Statutes § 4-176e, hearings in contested cases in agency proceedings may be conducted before a hearing officer, who, pursuant to General Statutes § 4-179, renders a written, proposed final decision to the commissioner. After affording each party adversely affected by the proposed final decision an opportunity to file exceptions and present briefs and oral argument pursuant to § 4-179 (a), the commissioner is vested with the authority to render the final decision in matters involving disposal orders under § 22-358 (c).’ Miller v. Dept. of Agriculture, 168 Conn. App. 255, 258 n.3, 145 A.3d 393, cert. denied, 323 Conn. 936, 151 A.3d 386 (2016).”</p> <p>Speer v. Connecticut Department of Agriculture, Superior Court at New Britain, No. HHB-CV-15-6030870-S (May 6, 2019) (68 Conn. L. Rptr. 754). “In this case . . . the animal control officer for the city of Norwich . . . issued disposal orders for two dogs owned by the plaintiff . . . after the dogs allegedly attacked three children and their grandmother The plaintiff appealed the disposal orders to the commissioner of the defendant Department of Agriculture (department). Bruce A. Sherman, a veterinarian, was designated as hearing officer. After a full evidentiary hearing, Sherman issued a proposed final decision recommending that the disposal orders</p> |

be affirmed. The commissioner reviewed the record and adopted the proposed final decision as the final decision, thereby affirming the disposal orders."

Miller v. Connecticut Department of Agriculture, Superior Court, Judicial District of New Britain, HB-CV14-6025463S (November 18, 2014) (59 Conn. L. Rptr. 319) (2014 WL 7462581), affirmed at [168 Conn. App. 255](#), 145 A.3d 393, cert. denied at 323 Conn. 936, 151 A.3d 386 (2016). "The plaintiff appealed to the department of agriculture (department) pursuant to § 22-358(c). On October 23, 2013 a hearing took place before a hearing officer. Both the town and the plaintiff were represented by counsel, presented the testimony of witnesses, cross examined the other side's witnesses, introduced numerous exhibits, and gave oral argument. (Supplemental Return of Record (Supp.ROR), pp. 2, 7, 15.) The hearing officer issued a proposed final decision on January 27, 2014, recommending affirmance of the town's disposal orders.

The plaintiff then filed a brief and presented oral argument to the commissioner in opposition to the proposed decision. On May 1, 2014, the commissioner issued his final decision adopting the recommendation of the hearing officer to affirm the disposal orders. The commissioner noted that he had reviewed the entire record, including the transcript of the hearing and oral argument, all admitted exhibits, and the plaintiff's brief in opposition to the proposed decision. (Supp.ROR, p. 1.)"

Table 2: Disposal Orders: Appeal to Superior Court

| Appeal from Administrative Agency to Superior Court | |
|--|--|
| <p>STATUTES:</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>You can visit your local law library or search the most recent statutes and public acts on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.</p> </div> | <p>"A person who has exhausted all administrative remedies available within the agency and who is aggrieved by a final decision may appeal to the Superior Court as provided in this section." CGS 4-183(a) (2023) (Emphasis added)</p> <ul style="list-style-type: none"> • Conn. Gen. Stat. (2023) <ul style="list-style-type: none"> Chapter 54. Uniform Administrative Procedures Act <ul style="list-style-type: none"> § 4-166. Definitions. § 4-183. Appeal to Superior Court. § 4-184. Appeal from final judgment of Superior Court. § 4-184a. Award of reasonable fees and expenses to certain prevailing parties in appeals of agency decisions. § 4-185. Application of chapter. § 4-189. Repeal of inconsistent provisions. |
| <p>COURT RULES:</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Amendments to the Practice Book (Court Rules) are published in the Connecticut Law Journal and posted online.</p> </div> | <ul style="list-style-type: none"> • Connecticut Practice Book (2024) <ul style="list-style-type: none"> Chapter 14. Dockets, Trial Lists, Pretrials and Assignment Lists <ul style="list-style-type: none"> § 14-5. Definition of Administrative Appeals § 14-6. Administrative Appeals are Civil Actions § 14-7. Administrative Appeals; Exceptions § 14-7A. Administrative Appeals Brought Pursuant to General Statutes § 4-183 et seq.; Appearances; Records, Briefs and Scheduling |
| <p>CASE DECISIONS:</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can contact your local law librarian to learn about the tools available to you to update cases.</p> </div> | <ul style="list-style-type: none"> • Kiyak v. Department of Agriculture, 210 Conn. App 311, 324, 325269 A.3d 869 (2022). "The plaintiff next claims that the hearing officer violated his right to procedural due process by using inadequate procedures in upholding the disposal orders. Specifically, the plaintiff claims that "[i]nadequate procedures were used in issuing and upholding the disposal order" because "the hearing officer adhered to no known rules, regulations, standards, or procedures in determining that the order was necessary." (Internal quotation marks omitted.) Thus, the plaintiff contends that this court must decide what process is due by applying the three balancing factors outlined in Mathews v. Eldridge, 424 U.S. 319, 335, 96 S. Ct. 893, 47 L. Ed. 2d 18 (1976), which are: (1) the private interests at stake, (2) the risk of erroneous deprivation of that interest through the procedures used and the probable value, if any, of alternative procedures, and (3) the government's interest, including the possible burdens of alternative procedures. The Superior Court |

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

concluded, however, that "[a]pplying the *Mathews* factors to the evidence in this case^[5] . . . the plaintiff's procedural due process claim fails." (Footnote added.) We agree with the Superior Court."

"First, the plaintiff's private interest in the possession of his dog is outweighed by the long-standing recognition that dogs that cause harm are subject to the police power of the state. See [Sentell v. New Orleans & Carrollton Railroad Co., supra, 166 U.S. 704-705](#). Our legislature has granted animal control officers the discretion to make orders with respect to the restraint or disposal of a biting dog. It is undisputed in the present case that the plaintiff's dog has bitten several people. Second, the administrative appeal procedures provided to the plaintiff pursuant to the UAPA afforded him an adequate opportunity to challenge the animal control officer's orders.^[6] Finally, we agree with the court that "[t]o impose on the department an obligation to provide a probable cause hearing . . . would be unduly burdensome because it would require essentially duplicate proceedings." On the basis of our review of the record, we agree with the court's analysis of the *Mathews* factors and conclude that there is no due process violation."

- [Miller v. Connecticut Department of Agriculture](#), Superior Court, Judicial District of New Britain, HB-CV14-6025463S (November 18, 2014) (59 Conn. L. Rptr. 319) (2014 WL 7462581), affirmed at [168 Conn. App. 255](#), 145 A.3d 393, cert. denied at 323 Conn. 936, 151 A.3d 386 (2016). "Under the Uniform Administrative Procedure Act (UAPA), General Statutes § 4-166 et seq., judicial review of an agency decision is 'very restricted.' . . . Section 4-183(j) of the General Statutes provides as follows: 'The court shall not substitute its judgment for that of the agency as to the weight of the evidence on questions of fact. The court shall affirm the decision of the agency unless the court finds that substantial rights of the person appealing have been prejudiced because the administrative findings, inferences, conclusions, or decisions are: (1) In violation of constitutional or statutory provisions; (2) in excess of the statutory authority of the agency; (3) made upon unlawful procedure; (4) affected by other error of law; (5) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or (6) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.'

Stated differently, '[r]eview of an administrative agency decision requires a court to determine whether there is substantial evidence in the administrative record to support the agency's findings of basic fact and whether the conclusions drawn from those facts are reasonable ... Neither [the appellate] court nor the trial court may retry

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the case or substitute its own judgment for that of the administrative agency on the weight of the evidence or questions of fact ... Our ultimate duty is to determine, in view of all of the evidence, whether the agency, in issuing its order, acted unreasonably, arbitrarily, illegally or in abuse of its discretion.' . . . 'It is fundamental that a plaintiff has the burden of proving that the [agency], on the facts before [it], acted contrary to law and in abuse of [its] discretion.'" (Internal citations omitted.)

"The plaintiff presents no analysis or authority to support her contention that dog disposal proceedings are or should be quasicriminal in nature. Such proceedings do not affect the owner's livelihood or expose him or her to criminal punishment. Although the death of a dog may constitute a grievous loss, the legislature has deemed a pet to be an item of personal property; General Statutes § 22-350; and it seems hard to argue that the loss of a pet deserves more protection than the loss of a child through termination proceedings which, as noted, are not quasicriminal. Further, because the apparent purpose of dog disposal proceedings is to protect the public rather than punish the owner, the better view is that such proceedings are not quasi-criminal."

"Thus, in a contested UAPA case such as this one, the plaintiff has a right to notice, to a hearing at which she can call and cross examine witnesses, to present evidence and argument, and to take an appeal. See General Statutes §§ 4-177 to 178; 4-183. In fact, the procedures required by the UAPA exceed the minimum procedural safeguards mandated by the due process clause."

- Speer v. Connecticut Department of Agriculture, Superior Court at New Britain, No. HHB-CV-15-6030870-S (May 6, 2019) (68 Conn. L. Rptr. 754), affirmed at 183 Conn App 298, 192 A.3d 489 (2019). "The plaintiff appealed to this court pursuant to General Statutes § 4-183. She argues that the record lacks substantial evidence that her dogs were the dogs involved in the attack. She further argues that General Statutes § 22-358 (c), which authorizes the disposal of 'any biting dog,' does not authorize the disposal of her dogs because the witnesses to the attack were unable to identify which of the two similar dogs allegedly bit the victims. She also argues that the restraint of her dogs violates her constitutional rights and that the department violated the automatic stay provisions of 11 U.S.C. § 362 (a) when it continued the administrative proceeding despite the fact that the plaintiff was in bankruptcy.

The defendants argue that the department's final decision is supported by substantial evidence; that it was

proper to order disposal of both dogs, without specifically identifying the 'biting dog,' because both dogs engaged in the attack; that the plaintiff failed adequately to brief her constitutional claims and, in any event, they lack merit; and that the department's administrative proceedings was excepted from the automatic bankruptcy stay because it fell within the 'police and regulatory power' exception in 11 U.S. C. § 362 (b) (4).

The court has reviewed the entire administrative record and all briefs and arguments of the parties. Substantial evidence in the record supports the department's finding that the plaintiff's two dogs were involved in the attack. Although the question regarding the applicability of § 22-358 (c) is a close one, the court concludes that the commissioner did not abuse his discretion in ordering the disposal of both dogs when the 'biting dog' could not be identified but both dogs engaged in the attack. The plaintiff's remaining claims lack merit. Accordingly . . . the plaintiff's appeal is dismissed."

Section 2: Cruelty to Dogs in Connecticut

A Guide to Resources in the Law Library

SCOPE: Bibliographic resources relating to neglect of and cruelty to dogs in Connecticut.

SEE ALSO: • [Municipal Ordinances by Town](#)

DEFINITIONS: Conn. Gen. Stat. [§ 22-351a](#) (2023).
• **Companion animal** means a domesticated dog or cat that is normally kept in or near the household of its owner or keeper and is dependent on a person for food, shelter and veterinary care, but does not include a dog or cat kept for farming or biomedical research practices.

STATUTES: Conn. Gen. Stats. (2023).
• [Chapter 319a](#). Child Welfare.
 § [17a-100a](#). Reporting of neglected or cruelly treated animals. Training programs.
 § [17a-100b](#). Training program for animal control officers to identify and report child abuse and neglect.
 § [17a-100c](#). Annual report re actual or suspected instances of animal neglect or cruelty.
• [Chapter 435](#). Dogs and other companion animals. Kennels and pet shops.
 § [22-328](#). Enforcement. Animal control officers. Training of animal control officers.
 § [22-329](#). Prevention of cruelty to dogs and other animals.
 § [22-329a](#). Seizure and custody of neglected or cruelly treated animals. Vesting of ownership of animal. Animal abuse cost recovery account. (Amended by [Public Act No. 24-108](#), Sec. 27, Effective October 1, 2024)
 § [22-329b](#). Reporting of neglected or cruelly treated animals.
 § [22-330](#). Authority of officers issuing summons.
 § [22-332](#). Impoundment and disposition of roaming, injured or mistreated animals. Authority to spay or neuter unclaimed dog. Liability for provision of veterinary care to injured, sick or diseased impounded animal.
 § [22-332a](#). Use of dogs for medical research restricted.
 § [22-332e](#). Regional or municipal dog pound contract with animal rescue organization for veterinary treatment of injured, sick, or diseased animal.
 § [22-333](#). Redemption of impounded dog, cat, or other animal.
 § [22-335](#). Removal of municipal animal control officer. Complaint against municipal animal control officer.

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

§ [22-336](#). Towns to provide pounds or other suitable facilities. Regulations. Enforcement.

§ [22-350a](#). Tethering dog to stationary object or mobile device. Prohibited means. Retention of other protections afforded dogs. Confining or tethering dog for unreasonable period of time. Fines.

§ [22-351](#). Theft, killing or injuring of companion animal. Penalty. Liability.

§ [22-351a](#). Liability for intentionally killing or injuring companion animal.

§ [22-366](#). Cropping of dog's ears.

§ [22-367](#). General penalty. Enforcement. ([2024 Supplement](#) as Amended by [Public Act 24-69](#), Sec. 2)

§ [22-367a](#). Regulations.

- [Chapter 847](#). Liens
§ [49-70](#). Lien on animals for their keep. Transfer of abandoned animals.
- [Chapter 945](#). (Offenses against humanity and morality)
Cruelty to animals.
§ [53-247](#). Cruelty to animals. Animals engaged in exhibition fighting. Intentional injury or killing of police animals or dogs in volunteer canine search and rescue teams. (Amended by [P.A. No. 24-65](#), sec. 1, effective October 1, 2024).
- [Chapter 961](#). Trial and procedure after conviction.
§ [54-86n](#). Appointment of advocate in proceeding re welfare or custody of a cat or dog. Advocate's duties. Department of Agriculture to maintain list of advocates.

United States Code (2024).

- [Title 18](#)-Crimes and Criminal Procedure
[18 U.S.C. §48](#). Animal Crushing

REGULATIONS:

You can visit your local law library or search the most recent C.F.R. on the [e-CFR website](#) to confirm that you are accessing the most up-to-date regulations.

Code of Federal Regulations (2024)

Title 9- Animals and Animal Products

§ 3.6 Primary enclosures for dogs and cat must meet the following minimum requirements:
§ [3.6\(a\)](#) General requirements
§ [3.6\(b\)](#) Additional requirements for cats

PUBLIC ACTS:

- [Public Act No. 24-65](#), Sec. 1 "An Act Requiring Restitution When a Police Animal or Dog In a Volunteer Canine Search and Rescue Team is Injured or Killed."

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website.

- [Public Act No. 24-108](#), Sec. 27 "An Act Concerning Court Operations and Administrative Proceedings."
- [Public Act No. 23-17](#), § 1, 10 "An Act Concerning Revisions to Certain Domestic Animal Related Statutes."
- [Public Act No. 23-138](#), § 2 "An Act Requiring the Department of Agriculture to Revise Municipal Animal Shelter Regulations." (Effective from passage.)
- [Public Act No. 23-149](#), § 4, 5, 7 "An Act Concerning Cruelty to Animals."

OLR REPORTS:

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- *Animal Cruelty Cases in Connecticut (2011-2021)*, Michelle Kirby, Connecticut General Assembly Office of Legislative Research Report, [2022-R-0123](#) (July 14, 2022)
- *Connecticut's Animal Cruelty Laws and Recent Legislation*, Michelle Kirby, Connecticut General Assembly, Office of Legislative Research Report, [2019-R-0196](#) (September 12, 2019).
- *Animal Protection Laws in Select States*, Michelle Kirby, Connecticut General Assembly, Office of Legislative Research Report, [2019-R-0197](#) (September 24, 2019).
- *Animal Cruelty Cases in Connecticut (2008-2018)*, Michelle Kirby, Connecticut General Assembly, Office of Legislative Research Report, [2019-R-0154](#) (September 12, 2019).
- *Connecticut's Animal Cruelty Laws*, Michelle Kirby, Connecticut General Assembly, Office of Legislative Research Report, [2018-R-0215](#) (August 17, 2018).
- *State Laws Prohibiting Leaving Animals in Unattended Vehicles*, Olivia Roman, Connecticut General Assembly, Office of Legislative Research Report, [2018-R-0057](#) (March 2, 2018).
- *Court Procedures for Animal Cruelty Cases*, Michelle Kirby, Connecticut General Assembly, Office of Legislative Research Report, [2016-R-0226](#) (October 6, 2016).
- *Animal Abuser Registry Laws*, Janet Kaminski Leduc, Office of Legislative Research Report, [2014-R-0255](#) (October 31, 2014).
- *Standards of Care For Dog And Cat Breeders*, Janet Kaminski Leduc, Office of Legislative Research Report, [2013-R-0309](#) (September 6, 2013).

CASE LAW:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Town of Plainville v. Almost Home Animal Rescue and Shelter, Inc.](#), 182 Conn. App. 55, 62,187 A.3d 1174 (2018). "...the court issued a memorandum of decision granting the motion to strike as to both counts. With respect to count one, the court concluded that § 53-247 "fails to establish any kind of duty or standard of care, but instead provides for criminal penalties for violation of said statute." The court explained further that § 53-247 does not impose liability on a person who has engaged in animal cruelty to another person, entity, government, or the general public. Finally, the court indicated that to prevail on a claim of statutory negligence or negligence per se, the plaintiffs needed to demonstrate that they fell within the class of persons protected by the statute and that they were unable to do so in this case. Regarding the second count, the court reasoned that § 22-329a (h) provides the exclusive remedy for the damages sought by the town and recovery pursuant to the equitable doctrine of unjust enrichment is available only if there is no adequate remedy at law."
- [The City of Stamford v. Susan Tandet et al.](#), Superior Court Judicial District of Stamford-Norwalk at Stamford, No. CV16-6030397-S (July 11, 2017) (64 Conn. L. Rptr. 813) (2017 WL 3481845). "The defendants have filed a Motion to Dismiss in a self-represented capacity claiming that this court lacks subject matter jurisdiction because the plaintiff, the City of Stamford, failed to comply with the ninety-six (96) hour limitation [to file a petition authorizing continued custody of seized animal] set forth in Gen. Stat. § 22-329a(a). One of the issues being raised in the Motion to Dismiss is whether the ninety-six (96) hour provision set forth in the statute is mandatory or directory. No Supreme Court, Appellate or trial court has yet discussed this issue." (p. 813)

"In summation, the court believes the following seven factors should be used in the analysis of the statute in order to determine whether the time limit set forth therein is directory or mandatory. They are: (1) the use of "shall" versus "may"; (2) is a penalty provided in the statute; (3) does the statute void the underlying action for failure to comply with the time limits; (4) is negative language present; (5) is the statute designed to secure order, system and dispatch; (6) does the failure to comply result in an unwarranted windfall to one of the parties; and (7) is the violation of the time limit a mere technical violation?"
(p. 815)
- [Town of Waterford v. Two Dogs et al.](#), Superior Court, Judicial District of New London, No. CV16-6027068-S

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

(August 5, 2016) (62 Conn. L. Rptr. 793) (2016 WL 4543187) (2016 Conn. Super. LEXIS 2140). "General Statutes § 22-329a(a) provides '(a) The Chief Animal Control Officer ,...may take physical custody of any animal when such animal control officer has reasonable cause to believe that such animal is in imminent harm and is neglected or is cruelly treated...'."

"The statute does not define 'neglected' or 'cruelly treated,' but our Supreme Court has interpreted the statute in light of the language contained in the criminal statutes respecting cruelty to animals, General Statutes § 53-247. See [*State ex rel. Gegan v Koczur*](#), 287 Conn. 145, 947 A.2d 282 (2008)." (pp. 793-794)

"Defendants argue that the dogs should be returned to them because the Town did not release the dogs when they sought to post bond."

"The Town now argues that the statute [General Statutes § 22-329a(f)] does not contemplate the release of an animal on bond; but, rather, it provides only that bonds be posted to cover the cost of care for the animals pending the final proceeding in the event that the owners do not relinquish ownership. Now that the court is aware of the disagreement of the parties on the point, it has reconsidered the subject and concludes that the plaintiff's interpretation of the statute is correct." (p. 795)

"The final issue concerns the assessment of expenses. An assessment of expenses incurred in caring for animals taken into custody under General Statutes § 22-329a may be made against the owner or person having responsibility for the care of the animals pursuant to § 22-329a(h)."

"At the statutory rate of \$15.00 per day per animal, it would be appropriate for the owner or person having responsibility for the care of the animals to be assessed \$5,040.00. Additionally, the Town has proven veterinary expenses of \$264.56 for a total of \$5,304.56." (p. 796)

- [*State of Connecticut v. Frederick Acker*](#), 160 Conn. App. 734, 748, 125 A.3d 1057 (2015). "In this case, although the fifteen dogs, whose exposure to extreme cold underlay the defendant's convictions, were of different breeds and sizes, they all shared the common characteristic that, when observed in the place where the defendant had confined them, all were exhibiting the initial signs of hypothermia. Each was severely shaking to supply itself with warmth not otherwise available to it from its bedding or the defendant's electronic heaters, thus, in the opinion of a veterinarian, requiring the

animal's immediate removal to a warmer environment. The conduct that caused each of these dogs to be kept in such conditions, despite their visible, weather induced suffering, clearly lies at the unmistakable core of the conduct which any person of ordinary intelligence would know to be proscribed by the statute. On that basis, we conclude that § 53-247(a) is not vague as applied to the facts of this case."

- [Town of Bethlehem et al. v. Frederick Acker et al.](#), 153 Conn. App. 449, 452-453, 102 A.3d 107 (2014). "On November 8, 2012, the plaintiffs seized approximately sixty-five dogs from the defendants' facility pursuant to a search and seizure warrant that had been issued on facts showing that the dogs, which were being kept in an uninsulated barn with an average temperature of 30 degrees Fahrenheit, were neglected, in violation of General Statutes § 22-329a."
- [Town of East Haven v. One \(1\) Dog et al.](#), Superior Court, Judicial District of New Haven, No. CV14-6046621-S (May 7, 2014) (2014 WL 2581026) (2014 Conn. Super. LEXIS 1114). "The Town of East Haven commenced this action...seeking temporary and permanent custody of a dog known as Pagan Moon Saunders pursuant to Connecticut General Statutes § 22-329(a). The Town of East Haven asserts that the defendant Herman Martinez is the owner of Pagan. The defendant claims that he is not the owner."

"At the commencement of this action, Pagan was in the custody of the plaintiff as a result of a criminal proceeding pending against Herman Martinez related to his treatment of Pagan." (p. 1)

"...Martinez stated that he is not the owner of the dog seized by the East Haven Police Department., but that the dog belongs to his girlfriend, Maura Saunders. Martinez further states that he was taking the dog for a walk when witnesses claim to have observed him mishandle the dog...As Saunders was not provided notice through the service of process provisions on § 22-329(c), and Martinez is neither an owner nor a party responsible for the dog, the animal in question in the present case was not properly brought into the jurisdiction of this court." (pp. 5-6)

"Of course, this decision will have no effect regarding the outstanding criminal charge relating to the defendant. Also, due to the lack of jurisdiction, the court is making no orders regarding the expenses claimed by the plaintiff." (p.4, n.3)

**WEST KEY
NUMBERS:**

- Animals
- #3.5. Regulation in general
- #3.5 (3). Constitutional provisions, statutes and ordinances
- #3.5 (5). Protective and anti-cruelty regulation in general
- #3.5. (9). Prosecutions and proceedings; review
- #43. Injuring or killing animals in general
- #43.1—In general
- #44.—Civil liability
- #45.—Criminal responsibility

DIGESTS:

- West's Connecticut Digest: Animals
See West Key Numbers listed above

ENCYCLOPEDIAS:

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use.
Remote access is not available.

- 4 *Am Jur 2d Animals*, Thomson West, 2018 (also available on Westlaw).
III. Governmental regulation and control.
 §§ 23—26. Prevention of cruelty to animals; In general
 §§ 27—30. What constitutes cruelty to animals
 §§ 31—35. Animal welfare act
- 3 *CJS Animals*, Thomson West, 2023 (also available on Westlaw).
IX. Cruelty to animals
 §§ 202-203. Offenses and responsibility
 §§ 204-What constitutes cruelty to animals, generally
 §§ 205. Passive cruelty to animals
 §§ 206. Intent for cruelty to animals
 §§ 208. Persons liable for cruelty to animals
 §§ 232-237. Societies for the prevention of cruelty to Animals
- 44 *COA 2d 281, Cause of Action in Intentional Tort for Loss of or Injury to Animal by Human*, by Adam P. Karp, Thomson West, 2010.
 § 34 Sample complaint
 § 35 Sample answer
- 68 *A.L.R. 6th 115, Validity, Construction, and Application of Criminal Statutes and Ordinances to Prosecution of Dogfighting*, by Fern L. Kletter, Thomson West, 2011.

**TEXTS &
TREATISES:**

You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the treatises cited.

References to online databases refer to in-library use of these databases.

- *Pet Law and Custody*, by Barbara J. Gislason, American Bar Association, 2017.
Chapter 8. Animal Cruelty, Crimes, and the Constitution
- *Understanding Animal Law*, 4th ed., by Adam P. Karp, Carolina Academic Press, 2016.
Chapter 11. Criminal Law
 A. Animal cruelty prosecution
 B. Evolving laws changing with human misbehavior
 J. Animal fighting
 K. Defense to cruelty charge

O. Self-defense in animal cruelty cases

- *Every Dog's Legal Guide*, 7th ed., by M. Randolph, J.D., Nolo, 2012.
Chapter 14. Cruelty
- *Litigating Animal Law Disputes: A Complete Guide for Lawyers*, Joan Schaffner and Julie Fershtman, editors, American Bar Association, 2009.
Chapter 10. Criminal law [as relating to animal cruelty cases]

LAW REVIEWS:

Public access to law review databases is available on-site at each of our [law libraries](#).

- Jane Kotzmann, Gisela Nip, *Bringing Animal Protection Legislation into Line with Its Purported Purposes: A Proposal for Equality amongst Non-Human Animals*, 37 Pace Envtl. L. Rev. 247 (2019-2020).
- Dolores A. Donovan, *Domestic Violence and Animal Welfare: The Science of Human-Animal Interaction*, 53 U.S.F. L. Rev. 393 (2019).
- Arin Greenwood, *Animal Advocacy*, 103-Jan A.B.A. J. 18 (2017).
- Amber M. Lopez-Hunter, *Fur Babies Matter: My Dog Is Not Property*, 4 Savannah L. Rev. 259 (2017).
- Elizabeth C. Kingston, *Mandatory Animal Cruelty Reporting Statutes as a Tool to Combat Domestic Violence*, 12 J. L. & Soc. Deviance 110 (2016).

Section 3: Dog Injuries in Connecticut

A Guide to Resources in the Law Library

SCOPE: Bibliographic resources relating to injuries caused or suffered by dogs.

SEE ALSO:

- [Municipal Ordinances by town](#)
- [Torts of Minors in Connecticut](#)

DEFINITIONS: Conn. Gen. Stat. § [22-327](#) (2023) (Amended by [P.A. 24-69](#), sec. 1.)

- **“Animal”** means any brute creature, including, but not limited to, dogs, cats, monkeys, guinea pigs, hamsters, rabbits, birds and reptiles;
- **“Keeper”** means any person, other than the owner, harboring or having in his possession any dog;

Conn. Gen. Stat. § [22-357](#) (2023).

- As used in this section of this section **“property”** includes, but is not limited to, a companion animal, as defined in section 22-351a, and **“the amount of such damage”**, with respect to a companion animal, includes expenses of veterinary care, the fair monetary value of the companion animal, including all training expenses for a guide dog owned by a blind person or an assistance dog owned by a deaf or mobility impaired person and burial expenses for the companion animal. (Amended by [Public Act No. 24-18](#), Sec 8, [Public Act No. 24-69](#), Sec. 1, and [Public Act No. 24-108](#), Sec 40, Effective October 1, 2024)

CT STATUTES:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

Conn. Gen. Stats. (2023).

[Chapter 435](#). Dogs and other companion animals.

§ [22-355](#). Damage by dogs to domestic animals or poultry.

§ [22-356](#). Damage by two or more dogs.

§ [22-357](#). Damage to person or property. (Amended by [Public Act No. 24-18](#), Sec 8, [Public Act No. 24-69](#), Sec. 1, and [Public Act No. 24-108](#), Sec 40, Effective October 1, 2024)

§ [22-358](#). Killing of dogs doing damage. Restraint or disposal orders. Notice. Seizure. Euthanasia and examination of potentially rabid animals. Complaints by persons sustaining damage by dog to poultry, ratite, domestic rabbit, companion animal or livestock. Orders. Appeals. (Amended by [Public Act No. 24-18](#), Sec 9 and [Public Act No. 24-108](#), Sec 28, Effective October 1, 2024)

§ [22-359](#). Control of rabies. Quarantine. Regulations.

§ [22-362](#). Annoyance by dogs on highway.

§ [22-363](#). Nuisance.

§ [22-364](#). Dogs roaming at large. Intentional or reckless subsequent violation. ([2024 Supplement](#) as Amended by

[Public Act No. 24-105](#), Sec. 1 and 2.)

§ [22-364a](#). Intentional or reckless release of domestic animal which causes damage.

§ [22-364b](#). Control of dogs in proximity to guide dogs. (Amended by [Public Act No. 24-108](#), Sec 41, Effective October 1, 2024)

§ [22-365](#). Obstruction of commissioner or any animal control officer. Penalty.

§ [22-367](#). General penalty. Enforcement. ([2024 Supplement](#) as Amended by [Public Act No. 24-69](#), Sec 2.)

§ [22-367a](#). Regulations.

OLR REPORTS:

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- *Dog Bite and Quarantine Law*, Duke Chen, Connecticut General Assembly, Office of Legislative Research Report, [2018-R-0023](#) (January 2, 2018).

PUBLIC ACTS:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

- [Public Act No. 24-18](#), Sec. 8, 9 "An Act Aligning State Law With Federal Law Concerning Service Animals"
- [Public Act No. 24-69](#), Sec. 1 "An Act Concerning Minor Revisions to Aquiculture Related Statutes and To Open Space Acquisition Related Statutes."
- [Public Act No. 24-105](#), Sec. 1, 2, "An Act Establishing a Task Force to Study the Enforcement of Certain Provisions of the General Statutes Concerning Roaming Livestock and Amending Certain Statutes Concerning Roaming Livestock."
- [Public Act No. 24-108](#), Sec 28, 40, 41 "An Act Concerning Court Operations and Administrative Proceedings"
- [Public Act No. 23-17](#), Sec. 8, 10. An Act Concerning Revisions to Certain Domestic Animian Related Statutes.
- [Public Act No. 23-184](#), Sec. 12. An Act Revising Certain Farming and Aquaculture Programs of the Department of Agriculture.
-
- [Public Act No. 19-197](#) (Jan. Sess.), sec. 1, 2. An Act Concerning Quarantine and Disposal Orders of Animal Control Officers.
- [Public Act No. 18-131](#) (Feb. Sess.), sec. 1. An Act Concerning the Killing or Injuring of Seeing Eye Dogs and

Assistance Dogs.

- [Public Act 17-12](#) (Jan. Sess.), sec. 1. An Act Concerning Liability for Damage Caused by a Dog Assigned to a Law Enforcement Officer.

FORMS:

- 3 Connecticut Practice Series, Connecticut Civil Practice Forms, 5th ed., by Daniel A. Morris et al., 2024 ed., Thomson West (also available on Westlaw).
Chapter 70- Other Tort Actions
 - § 70:4(b)- Injury caused by dog and notes to form
 - § 70:4(c)- Shooting plaintiff's dog and notes to form
 - § 70:5 Dog bites
 - (a)- Plaintiff's interrogatories to owner of dog in action relating to dog bite
 - (b)- Defendant's interrogatories- dog owner to a minor
 - (c)- Defendant's interrogatories- Dog owner to minor- another form
- 16A Connecticut Practice Series, *Connecticut Elements of an Action*, by Thomas B. Merritt, 2024 ed., Thomson West (also available on Westlaw).
Chapter 2 Animal Actions—Dog Bites
 - § 2:11. Sample complaint
 - § 2:12. Sample answer containing affirmative defense
 - § 2:13. Plaintiff's proposed jury instructions
 - § 2:14. Defendant's proposed jury instructions
 - § 2:15. Jury verdict, bench trial, and settlement summaries
- *Library of Connecticut Personal Injury Forms*, 3d ed., by Joshua D. Koskoff and Carey B. Reilly, editors, Connecticut Law Tribune, 2022.
Chapter 5- Complaints and Causes of Action
5-004- Animal Bite Complaint and Author's Comment

CASE LAW:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Field v. Astro Logistics, LLC](#), Superior Court, Judicial District of Middlesex, No. CV-22-6033510-S (June 30, 2022) (2022 WL 2380560) (2022 Conn. Super. LEXIS 1420). "The complaint alleges that, on April 22, 2021, an agent, servant and/or employee of Astro Logistics was operating a vehicle owned by Astro Logistics when it struck the Fields' dog. According to the complaint, the dog suffered injuries and required surgeries and medical procedures. The bystander emotional distress counts all allege that the plaintiffs 'sensorily perceived the collision and [were] with the dog before substantial change occurred to its condition.'" (p. 1)

"Based on these factors, the plaintiffs' claims for bystander emotional distress based on a relationship to the dog may be met [...] Accordingly, the court finds that the plaintiff has sufficiently alleged a claim for bystander liability." (p. 3)

- Aviles v. Barnhill, Superior Court, Judicial District of New London, No. CV-18-6035039-S (March 1, 2021) (70 Conn. L. Rptr. 546) (2021 WL 1235754) (2021 Conn. Super. LEXIS 200). "Therefore, under Connecticut's common law, landlords will be liable for a dog bite, by a dog that they do not themselves own, keep, or have direct control over, only if the dog bite occurs on premises owned by the landlord and/or within the landlord's control, and the landlord knew the dog was vicious." (p. 549)

"[...] there is no genuine of material fact that the alleged incident did not occur on the premises and that the defendant did not control the property where the alleged incident occurred. These facts are undisputed as they are alleged in the plaintiffs' complaint and are supported by evidence provided by the parties. As such, whether the defendant knew or should have known about Yank's alleged dangerous propensities is not an issue of material fact because the defendant owed no duty of care to the plaintiff as the alleged incident occurred outside of the premises and the defendant's control." (p. 551)

- Nishimura v. Muir, Superior Court, Judicial District of Stamford-Norwalk, No. CV-19-6044028-S (November 27, 2020) (70 Conn. L. Rptr. 512) (2020 WL 8125516) (2020 Conn. Super. LEXIS 1508). "Plaintiff agreed to lodge the dog while the owner was away on a trip. This arrangement establishes her status as keeper of the dog because she had taken possession and control of the dog to transport the dog to her home for the purpose of 'feeding, giving water to, exercising, sheltering or otherwise caring for the dog when the incident occurred.' *Auster*, 286 Conn. at 162, citing *Falby v. Zaremski*, 221 Conn. 14, 19 (1992)." "The parties dispute whether the incident occurred when plaintiff first picked up the dog to transport her to her home or after she had been taking care of the dog for a number of days, but this distinction is without difference because keeper status was achieved when plaintiff first exerted possession and control of the dog who was to lodge the dog at her home while the owner was away; that the dog may not yet have eaten or lodged at the house is not dispositive. Status as a keeper does not depend on the relationship between the alleged keeper and the dog's owner, but rather on 'the nature and extent of the control that the [alleged keeper] had over the [owner's] dog., *Auster*, 286 Conn. at 163. I." (p. 513)
- Coppedge v. Travis, 187 Conn. App. 528, 535-536, 202 A.3d 1116 (2019). "In Malone v. Steinberg, 138 Conn. 718,723, 89 A.2d 213 (1952) our Supreme Court explained that for a defendant to be liable under the dog bite statute, it was sufficient for the plaintiff to establish that 'the

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

menacing attitude of the dog frightened the plaintiff and caused him to fall... even though it did not appear that the dog actually knocked him down.' In that case, the parties had conceded that the dog did not come into actual contact with the plaintiff. The court explained that contact was unnecessary under the statute and that '[t]he liability of a keeper extends to all damage to the person which is proximately occasioned by the dog.'

In the present case, the court specifically found that the proximate cause of the plaintiff's injuries was that the dog, "with no leash attached, bounded toward the motel ahead of the defendant. The plaintiff saw Lilly coming, became startled and frightened, and tripped and fell as she tried to avoid the dog's advance. Lilly never actually made physical contact with the plaintiff, but came close and stood over the plaintiff as the plaintiff lay on the ground."

- [Sen v. Tsiongas](#), 192 Conn. App. 188, 189, 217 A.3d 657 (2019). "In this premises liability action, the plaintiff, Isha Sen, appeals from the summary judgment rendered in favor of the defendant, Kostas Tsiongas. On appeal, the plaintiff claims that the trial court erred in rendering summary judgment in favor of the defendant, who was the landlord of the apartment building in which the plaintiff lived, because there was a disputed issue of material fact as to whether the defendant should have known that the dog of one of the other tenants had vicious propensities."
- [Derby v. Tails of Courage, Inc.](#), Superior Court, Judicial District of Litchfield, No. CV-18-6020192-S (March 18, 2019) (68 Conn. L. Rptr. 154) (2019 WL 1765866) (2019 Conn. Super. LEXIS 503). "...it is implied that the defendant was indeed the true owner of the dog. However, liability under § 22-357 attaches to a keeper of a dog as opposed to a true owner when two conditions are met. First, the person controlling the dog at the time of the alleged attack is authorized to control the dog, and the person who is authorized to exercise more than limited dominion and control over a dog. § 22-357 ("the owner or keeper ... shall be liable for the amount of such damage ...") (exclusive "or" when read in conjunction with quotations in parentheticals). See [Auster v. Norwalk United Methodist Church](#), *supra*, 286 Conn. 152 ,160, 163 ("[P]ossession [of a dog] cannot be fairly construed as anything short of the exercise of dominion and control to and in substitution for that which ordinarily would be exerted by the owner in possession" [internal quotation marks omitted]) ("keeper" not construed "so broadly as to include persons authorized to exercise *only limited dominion and control* over a dog" [emphasis added] . The plaintiff alleges that she picked up the dog to foster, which, as discussed above, implies that she became its keeper for

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the duration of the foster agreement. While the facts alleged show that the plaintiff was not the dog's keeper for long, she was authorized to care for the dog as the true owner would and that care was not limited in scope. As such, the defendant cannot be liable under § 22-357." (p. 156)

- Genalski v. Churchill et al., Superior Court Judicial District of Litchfield, No. CV16-6013860 (July 25, 2017) (64 Conn. L. Rptr. 856) (2017 WL 3671339) (2017 Conn. Super. LEXIS 4062). "The law in Connecticut is clear that simply because the plaintiff was on the defendants' property without invitation does not necessarily mean he was "committing a trespass or other tort" as those words are used in § 22-357. "[I]nterpreted literally it [the words "trespass or other tort] might include every kind of trespass or tort done to any person or property at any time. Such an interpretation would lead to results which surely were not in the legislative contemplation. The trespasses and torts which the framers of this exception had in mind were those which were committed upon the person or property of the owner or keeper, or his family, and other torts of like character, and which the dog, with his characteristic loyalty would instinctively defend and protect ..." Dorman v. Carlson, 106 Conn. 200, 203 (1927). "The expression 'trespass or other tort' in the statute suggests more than a mere entry and the plain intent of the statute is to bar recovery where the plaintiff was committing or intending to commit some injurious act. Hanson v. Carroll, 133 Conn 505, 510 (1947)."

"Although the plaintiff had no invitation to the property, the plaintiff was friendly with Ms. Churchill, had visited at her house before and came through the back gate onto the deck to visit with Ms. Churchill and without any intent of committing an injurious act. The case law leads the court to conclude that the "trespass" exception to § 22-357 does not apply." (p. 857)

- Francis v. Veterinary Associates of North Branford, LLC, Superior Court, Judicial District of New Haven, No. CV13-6037953-S (February 8, 2016) (2016 WL 822904) (2016 Conn. Super. LEXIS 285). "...the plaintiff, Edward Francis, entered the waiting room of the defendant, Veterinary Associates of North Branford, LLC ('Associates'), with his son's dog, Lola for an appointment. While Francis and Lola were in the waiting room, a second dog, Rocco, also waiting for an appointment, attacked Francis and Lola, injuring both." (p. 1)

"At common law, liability in negligence for damage by dogs to persons and property turns on scienter. The owner or keeper of a dog is liable only if he has 'knowledge of the

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dog's *ferocity or mischievous propensity.*' *Mann v. Regan*, 108 Conn. App. 566,577, 948 A.2d 1075 (2008). (Emphasis in original)...Francis concedes that Associates had no such scienter. Under these circumstances, Associates had no common-law obligation to take special precautions such as placing booths or dividers in its waiting room or requiring the leashing of dogs not known to be dangerous." (p. 3)

- [Mayer et al. v. Towle et al.](#), Superior Court, Judicial District of New Haven, No. CV15-6051877-S (January 29, 2016) (61 Conn. L. Rptr. 736) (2016 WL 720511) (2016 Conn. Super. LEXIS 244). "The plaintiffs further allege that the defendant [Town of Wallingford], acting through its agents, servants, and/or employees, created an ongoing nuisance which proximately caused the plaintiff's injuries by: (1) encouraging Towle and Farrell to redeem Dodge which they knew, or should have known, demonstrated a pattern of behavior that posed a continuing safety risk to the community; (2) engaging in a positive act by permitting Dodge back into community; and (3) releasing Dodge back into the community, which was unreasonable given their knowledge of Dodge's behavior." (p. 736-737)
- [Thivierge v. Witham](#), 150 Conn. App. 769, 776-777, 93 A.3d 608 (2014). "Although General Statutes § 22-331 provides for the appointment of a municipal animal control officer 'to administer and enforce the laws relating to dogs,' it does not provide any directive on how those laws are to be enforced."
- [Atkinson v. Santore](#), 135 Conn. App. 76, 77, 41 A.3d 1095 (2012). "This case involves a dispute between a homeowner and her children's babysitter concerning an incident in which the babysitter, while caring for the children, claimed that she was potentially exposed to the rabies virus due to her contact with the homeowner's dogs after she found them in the vicinity of a rabid raccoon in the homeowner's yard."
- [Giacalone v. Housing Authority of Wallingford](#), 306 Conn. 399, 405, 51 A.3d 352 (2012). "Thus, under Connecticut common law, knowledge of a domestic animal's vicious propensity imposes a duty on the owner to restrain that animal, and failure to do so is treated as negligence, triggering liability for damage caused by the animal."
- [Virginia Auster v. Norwalk United Methodist Church](#), 286 Conn. 152, 153-154, 943 A.2d 391, 392-393 (2008). "The plaintiff commenced this action against the defendant seeking damages under the dog bite statute, General Statutes § 22-357, pursuant to which an owner or 'keeper' of a dog is strictly liable for any damage caused by the dog to the person or property of another. Specifically, the

plaintiff sought to recover damages from the defendant as a 'keeper' of the dog under § 22-357."

- [Carrasquillo v. Carlson](#), 90 Conn. App. 705, 707, 880 A2d 904, 905-906 (2005). "In this negligence action, an automobile driver sued the owner of a dog for injuries he received when he took evasive action to avoid hitting the dog in a public roadway. The dog owner filed a motion for summary judgment in which she claimed that the driver had failed to raise a material issue of disputed fact linking her conduct to the event that caused his injuries."
- [State of Connecticut v. Frederick Acker](#), 81 Conn. App. 141,142, 838 A.2d 1016, 1017 (2004). "The dispositive issue in this appeal is whether, in a prosecution under General Statutes § 22-363, also known as our 'nuisance dog' statute, the state must prove the identity of the specific dog or dogs causing the nuisance. We hold that it does not and accordingly, reverse the judgments of the trial court."

**WEST KEY
NUMBERS:**

- Animals
 - # 52.—Killing or injuring animals at large
 - # 54.—Persons liable for injuries
 - # 57.—Criminal prosecutions
 - # 66.5.—Dogs
 - # 66.5 (1). Duties and liabilities in general
 - # 66.5 (2), 82. Vicious propensities and knowledge thereof
 - # 66.5 (3). Defenses in general
 - # 66.5 (4). Contributory and comparative negligence
 - # 66.5 (5). Provocation
 - # 66.5 (6). Assumption of risk
 - # 66.5 (7), 83. Person liable for injuries in general
 - # 66.5 (8). Landlords
 - # 73.—Killing vicious animals
 - # 74.—Actions
 - # 77. Injuries to other animals
 - # 79.—Statutory regulations
 - # 80.—Domestic animals in general
 - # 81.—Dogs (Injuries caused by dog)
 - # 96.—Injuring or killing trespassing animals

- Automobiles
 - #176(4). Dogs injured by motor vehicles
 - #178. Injuries to motor vehicles or occupants by collision with animals

DIGESTS:

- West's Connecticut Digest: Animals
See West Key Numbers listed above

ENCYCLOPEDIAS:

- *4 Am Jur 2d Animals*, Thomson West, 2018 (also available on Westlaw).

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

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V. Nuisances

§ 54. Particular kinds of animals and places –Dogs and cats

VIII. Liability for injuries by animals

B. Domestic Animals

§§ 68-71. Knowledge of dangerous or vicious propensity

§§ 72-75. Other bases of liability

§§76-80. Particular kinds of animals—Dogs

IX. Liability for injuries to animals

§§ 102-105. In general

§§ 106-108. Condition of premises on which animals trespass; Protection against trespass

§§ 109-112. Justification and defense

§§ 113-115. Damages recoverable

§ 116. Damages recoverable—Injuries to pets

§§ 117-119. Practice and procedure

- 3 *CJS Animals*, Thomson West, 2023 (Also available on Westlaw).

XV. Injuries by Animals to Persons or Animals

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2. Injuries by dogs

a. Nature or extent of liability, in general

§ 359. Strict or absolute liability

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§ 361. Standard or duty by violation of statute or ordinance

§ 362. Negligent entrustment

§ 363. Premises liability

§ 364. Lawfully on premises; trespassers

§ 365. Social guest, licensee, or invitee

§ 366. Liability for nuisance

§ 367. Penalties for violation of regulations; destruction of dog

§ 368. Criminal responsibility

§ 369. Dog as dangerous weapon

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§ 371. Biting, attacking, growling, barking, snapping, running, or jumping

§ 372. Breed, class, or training of dog

2. Knowledge or notice of propensity

§ 373. General considerations

§ 374. Biting, attacking, growling, barking, snapping, running, or jumping

§ 375. Breed, class, or training of dog

c. Injuries by dog under particular circumstances

§ 376. Injuries to person by dog frightening horse

§ 377. Injuries to person or animal by rabid dog

§ 378. Injuries to other domestic animals or livestock

d. Owner, keeper, or harborer subject to liability

§ 379. General considerations

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- § 380. Landlords or lessors
- e. Defenses, exceptions, and immunities
 - § 381. Comparative negligence
 - § 382. Contributory negligence
 - § 383. Provocation; trespass
 - § 384. Assumption of risk; professionals
 - § 385. Immunities
- XVII. Injuries to or killing of animals
 - A. Civil liability
 - 2. Dogs
 - a. In general
 - § 467. Right of owner to maintain action for wrongful injury or killing of dogs, generally
 - § 468. Liability of landowner to dog owner for killing or injuring trespassing dogs
 - § 469. -Trivial offenses
 - § 470. Manner of killing or injury
 - § 471. Contributory negligence of owner
 - § 472. Accidental or inadvertent injury or killing
 - § 473. Killing vicious or mad dogs
 - § 474. Killing of licensed or taxed dogs
 - b. Unlicensed or uncollared dogs
 - § 475. Right of owner to recover for killing or injury of unlicensed or uncollared dog, generally
 - § 476. Police power of State
 - § 477. Killing of unlicensed or unregistered dogs running at large
 - § 478. Killing of unlicensed or uncollared dogs on premises of owner
 - c. Killing or injury in defense of person or property
 - §§ 479-481. In general
 - §§ 482-485. Protection of property, in general
 - §§ 486-487. Protection of animals
 - 51 A.L.R. 4th 446, *Modern Status of Rule of Absolute or Strict Liability for Dog Bite*, by Ward Miller, Thomson West, 1987.
 - 38 COA 2d 281, *Cause of Action for Loss of or Injury to Animal by an Animal*, by Adam P. Karp, Thomson West, 2008.
 - 33 COA 2d 293, *Cause of Action Against Owner, Keeper or Harborer of Domestic Animal to Recover for Personal Injuries Caused by Animal*, by Allison E. Butler, Thomson West, 2007.
 - § 12. Statutory Liability
 - § 35. Sample Complaint
 - § 37. Sample Answer
 - § 47. Connecticut

- 39 *Am. Jur. Proof of Facts 3d* 133, Plaintiff's Negligence, Provocation, or Assumption of Risk as Defense In Dog Bite Case, 1996 (also available on Westlaw).
 - I. Background
 - II. Model discovery
 - III. Elements of proof
 - IV. Proof that Plaintiff provoked Defendant's Dog to attack
 - V. Bibliography

TEXTS & TREATISES:

Each of our law libraries own the Connecticut treatises cited. You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the other treatises cited or to search for more treatises.

References to online databases refer to in-library use of these databases. Remote access is not available.

- *Encyclopedia of Connecticut Causes of Action*, by Michael S. Taylor and Daniel J. Krisch, Connecticut Law Tribune, 2024.
 - Sec. 1D-4. Dog-bite action (Common law)
 - Sec. 2D-6. Dog-bite action (Conn. Gen. Stat. § 22-357)
 - Sec. 3A-27. Action for Damage by Dogs to Domestic Animals (Conn. Gen. Stat. § 22-355)
- *Understanding Animal Law*, 4th ed., by Adam P. Karp, Carolina Academic Press, 2016.
 - Chapter 8. Nonnegligent and statutory torts against animals
 - Chapter 9. Those harmed by animals
- 1 *Restatement of the Law, Third, Torts: Liability for Physical and Emotional Harm*, Thomson West, 2010, with 2022 supplement (also available on Westlaw).
 - Chapter 4. Strict Liability.
 - § 23. Abnormally Dangerous Animals
- *Connecticut Law of Torts*, 4th ed., by Douglass B. Wright et al., Atlantic Law Book Company, 2018, with 2022 supplement.
 - Chapter II. Intentional Torts
 - § 22 Trespassing animals
 - § 25 Trespass of personal property
 - Chapter III. Negligence
 - § 32 Nonfeasances – Negligent omissions
 - Chapter XIV. Strict Liability
 - § 127 Dogs
- *Connecticut Torts: The Law and Practice*, 2d ed., by Frederic S. Ury and Neal L. Moskow, Matthew Bender, 2015, with 2023 supplement.
 - Chapter 18. Bringing a Strict Liability Action
 - § 18.04. Does a dangerous animal subject its owner to strict liability?
 - [1]. Person injured by an animal must generally prove negligence
 - [2]. Statutes providing for strict liability for animal causing property damage
 - [3]. The "dog bite" statute; Conn. Gen. Stat. § 22-357
 - § 18.07.1. Complaint –Action under Conn. Gen. Stat. § 22-357 ("dog-bite" statute)

- 16 Connecticut Practice Series, *Connecticut Elements of an Action*, 2024 ed., by Thomas B. Merritt, Thomson West, 2022 (also available on Westlaw).

Chapter 2. Animal Actions—Dog Bites

- § 2:1. Elements of action
- § 2:2. Authority
- § 2:3. Remedies--Compensatory damages
- § 2:4. --Punitive and exemplary damages
- § 2:5. Limitation of actions: Statute of limitations
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Forms

- § 2:11. Sample trial court documents— Sample complaint
- § 2:12. Sample answer containing affirmative defense
- § 2:13. Plaintiff's proposed jury instructions
- § 2:14. Defendant's proposed jury instructions

- *Personal Injury Valuation Handbook*, Jury Verdict Research Series, Thomson West, 2012, with 2023 supplement (also available on Westlaw).

Volume 6. Basic injury values for animal bites

- *Litigating Animal Law Disputes: A Complete Guide for Lawyers*, Joan Schaffner and Julie Fershtman, editors, American Bar Association, 2009.

Chapter 2. Negligence and Tort Law

Chapter 9. Remedies in Animal-related Litigation

- *Pet Law and Custody*, by Barbara J. Gislason, American Bar Association, 2017.

Chapter 10. Dangerous Dogs and Police Powers

- *Every Dog's Legal Guide*, 7th ed., by M. Randolph, J.D., Nolo, 2012.

Chapter 9. If a dog is injured or killed

Chapter 11. Dog bites

Chapter 12. Dangerous dogs

LAW REVIEWS:

Public access to law review databases is available on-site at each of our [law libraries](#).

- David Missirian, *Is Man's Best Friend Great for Personal Protection or a Huge Lawsuit in Waiting*, 10 J. Animal & Envtl. L. 1 (2018-2019).
- Phyllis. Coleman, *We Say Tomato, They Say Woof: The Argument for Abandoning Provocation in Dog Bite Statutes*, 47 U. Mem. L. Rev 485 (2016-2017).

- Ann L. Schiavone, *Barking Up the Wrong Tree: Regulating Fear, Not Risk*, 22 Animal L. 9 (2015).
- Joan Schaffner, *Damages in Dog-Bite and Other Animal-Related Litigation*, 2 Mid-Atlantic J. L. & Pub. Pol'y 39 (2013).
- Hilary M. Schwartzberg, *Tort Law in Action and Dog Bite Liability: How the American Legal System Blocks Plaintiffs from Compensation*, 40 Conn. L. Rev. 845 (2008).

Section 4: Dogs as Service Animals

A Guide to Resources in the Law Library

SCOPE: Bibliographic resources related to guide and assistance dogs in Connecticut.

SEE ALSO: [Connecticut Judicial Branch Americans with Disabilities](#)

DEFINITIONS:

You can visit your local law library or search the most recent C.F.R. on the [e-CFR website](#) to confirm that you are accessing the most up-to-date regulations.

- [Nondiscrimination On the Basis of Disability in State and Local Government Services, Definitions, 28 C.F.R. § 35.104](#) (2024).
- [Nondiscrimination On the Basis of Disability by Public Accommodations and in Commercial Facilities, Definitions, 28 C.F.R. § 36.104](#) (2024).

Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

- [Transportation Services for Individuals with Disabilities \(ADA\), Definitions, 49 C.F.R. § 37.3](#) (2024).

Service animal means any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

STATUTES:

You can visit your local law library, [search the most recent U.S. Code](#) on the U.S. Code website or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are accessing the most up-to-date laws.

Conn. Gen. Stats. (2023).

- [Chapter 67](#). State personnel act.
§ [5-247b](#). Sick leave. Use by blind or disabled employees for assistance dog training. (Amended by [Public Act No. 24-18](#), Sec 1)
- [Chapter 249](#). Traffic control and highway safety.
§ [14-300](#). Crosswalks. Pedestrian-control signals. Regulation of pedestrians and motor vehicles at crosswalks. Pedestrians who are blind or have guide dogs. (Amended by [Public Act No. 24-18](#), Sec 4)
- [Chapter 435](#). Dogs and other companion animals.
§ [22-345](#). License and tag for guide dogs for blind, deaf or mobility impaired persons. (Amended by [Public Act No. 24-18](#), Sec 2, 6)
§ [22-364b](#). Control of dogs in proximity to guide dogs. (Amended by [Public Act No. 24-108](#), Sec 41, Effective October 1, 2024)
- [Chapter 517](#). Civil preparedness, emergency management and homeland security
§ [28-1\(4\)](#). Definitions. "Civil preparedness".
§ [28-7](#). Local and joint organizations: Organizations; powers; temporary aid.
- [Chapter 814b](#). Mobility impaired persons.
§ [46a-44](#). Access of guide and assistance dogs to modes of public transportation and in places of public accommodation.
- [Chapter 814c](#). Human rights and opportunities.
§ [46a-64](#). Discriminatory public accommodations practices prohibited. Penalty.
- [Chapter 968](#). Victim services.
§ [54-201\(2\)](#). Definitions. (Amended by [Public Act No. 24-108](#), Sec. 22)
Personal Injury.

United States Code (2024).

- [Title 38](#)—Veterans' benefits
[38 U.S.C. § 1714](#). Fitting and training in the use of prosthetic appliances; guide dogs; service dogs.
- [Title 40](#)—Public buildings, property, and works
[40 U.S.C. § 3103](#). Admission of guide dogs or other service animals accompanying individuals with disabilities.
- [Public Act No. 24-108](#), Sec. 22, "An Act Concerning Court Operations and Administrative Proceedings."

PUBLIC ACTS:

- [Public Act No. 24-18](#), Sec. 1, 2, 6 "An Act Aligning State Law With Federal Law Concerning Service Animals."
- [Public Act No. 23-17](#), Sec. 9 "An Act Concerning Revisions to Certain Domestic Animal Related Statutes."
- [Public Act No. 23-24](#), Sec. 1 "An Act Concerning a Domestic Terrorism Prevention Plan Annex in Local Emergency Operations Plans."

REGULATIONS:

You can visit your local law library or browse the [Connecticut eRegulations System](#) on the Secretary of the State website to check if a regulation has been updated.

- [28 C.F.R. Part 35](#) (2024). Nondiscrimination On the Basis of Disability in State and Local Government Services
[28 C.F.R. § 35.136](#). Service animals
- [28 C.F.R. Part 36](#) (2024). Nondiscrimination On the Basis of Disability by Public Accommodations and in Commercial Facilities
[28 C.F.R. § 36.302](#). Modification in policies, practices, or procedures. Service animals
[28 C.F.R. Part 36, Subpart C - Specific Requirements](#), Section 36.302 Modifications in Policies, Practices, or Procedures

You can visit your local law library or search the most recent C.F.R. on the [e-CFR website](#) to confirm that you are accessing the most up-to-date regulations.

- [49 C.F.R. Part 37](#) (2024). Transportation Services for Individuals with Disabilities
[49 C.F.R. 37.167](#)., (a), (d). Other service requirements
- [49 C.F.R. Part 39](#) (2024). Transportation for Individuals with Disabilities: Passenger vessels
[49 C.F.R. 39.91](#). Must PVOs (passenger vessel owners or operators) permit passengers with a disability to travel with service animals?

LEGISLATIVE SUMMARIES:

- [2023 Connecticut Public Acts Affecting Animals and Agriculture](#) (pg. 7, Service Animals)
- [U.S. Department of Justice, Civil Rights Division, Disability Rights Section –Revised ADA Requirements: Service Animals](#) (July 12, 2011)
- [U.S. Department of Justice, Civil Rights Division, Disability Rights Section—Frequently asked questions about service animals and the ADA](#) (July 2015)

OLR REPORTS:

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- *Service Animals and Registration*, Office of Legislative Research Report, [2024-R-0090](#) (June 7, 2024).
- *Landlord Obligations to Allow Assistance Animals*, Shaun McGann, Connecticut General Assembly, Office of Legislative Research Report, [2020-R-0277](#) (October 29, 2020).
- *Issue Brief: Service Animals and the Law*, Janet Kaminski Leduc, Connecticut General Assembly, Office of Legislative Research Report, [2018-R-0199](#) (November 27, 2018).

- *Misrepresentation of a Service Animal*, Janet Kaminski Leduc, Connecticut General Assembly, Office of Legislative Research Report, [2017-R-0255](#) (November 16, 2017).
- *Service Dogs and the Law*, Kevin E. McCarthy, Connecticut General Assembly, Office of Legislative Research Report, [2014-R-0025](#) (January 22, 2014).
- *Harassing Service Animals*, Christopher Reinhart, Connecticut General Assembly, Office of Legislative Research Report, [2010-R-0048](#) (February 4, 2010).
- *State Park and Campground Pet Policies*, Kristen L. Miller, Connecticut General Assembly, Office of Legislative Research Report, [2010-R-0435](#) (December 21, 2010).
- *Service Dog Training and Condominium Associations*, Megan Reilly, Connecticut General Assembly, Office of Legislative Research Report, [2009-R-0353](#) (October 9, 2009).

COURT FORMS:

Official Judicial Branch forms are frequently updated. Please visit the [Official Court Webforms page](#) for the current forms.

- Connecticut Judicial Branch [Americans With Disabilities](#) (See forms and procedures under "Quick Links")

ONLINE RESOURCE:

- Connecticut Fair Housing, [Interactive Self-Help Guide for Requesting a Reasonable Accommodation or Reasonable Modification](#). (This web-site will help you create a letter asking your landlord to change a rule or policy or for permission to make changes to your apartment.)

FEDERAL CASE:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Fry v. Napoleon Community Schools](#), 137 S. Ct. 743 (2017). "Important as the IDEA [Individuals with Disabilities Education Act] is for children with disabilities, it is not the only federal statute protecting their interests. Of particular relevance to this case are two antidiscrimination laws—Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. § 12131 et seq., and § 504 of the Rehabilitation Act, 29 U.S.C. §794—which covers both adults and children with disabilities, in both public schools and other settings. Title II forbids any 'public entity' from discriminating based on a disability; Section 504 applies the same prohibition to any federally funded 'program or activity.'" (p. 749)

"Petitioner E.F. is a child with a severe form of cerebral palsy, which 'significantly limits her motor skills and mobility.' App. To Brief in Opposition 6, Complaint ¶19. When E.F. was five years old, her parents Stacy and Brent Fry—obtained a trained service dog for her, as

recommended by her pediatrician. The dog, a goldendoodle named Wonder, 'help[s E.F.] to live as independently as possible' by assisting her with various life activities. *Id.* at 2, ¶ 3. In particular, Wonder aids E.F. by 'retrieving dropped items, helping her balance when she uses her walker, opening and closing doors, turning on and off lights, helping her take off her coat, [and] helping her to transfer to and from the toilet.' *Id.* at 7, ¶ 27." (p. 750-751)

CONNECTICUT CASE LAW:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Presidential Village, LLC v. Phillips](#), 325 Conn. 394, 396, 158 A.3d 772 (2017). "The principal issue in this appeal is whether the trial court abused its discretion by relying on the 'spirit' of certain regulations issued by the United States Department of Housing and Urban Development (department) which generally concern accommodations for handicapped persons, in support of an equitable defense to the eviction of a tenant who kept an 'emotional support dog' in her federally subsidized rental apartment in violation of a pet restriction clause contained within her lease."
- [Ahmed et al. v. State of Connecticut Department of Transportation](#), Superior Court, Judicial District of Hartford, No. CV13-6045783-S (February 6, 2015) (59 Conn. L. Rptr 732) (2015 WL 897478). "Mansoor Ahmad was waiting in line at Bradley International Airport to transport passengers. When it was his turn, Mansoor Ahmad was assigned a passenger with a service dog. Because he has dog phobia, Mansoor refused to take the passenger and was ordered to return to the end of the taxi cab line. Naveed Ahmad, father of Mansoor, who was also employed by Yellow Cab Company, objected...As a result of this incident, Yellow Cab Company terminated the employment of both plaintiffs..." (pp. 732-733)

"Although dog phobia qualifies as a mental disability, the plaintiff must also allege facts sufficient to establish that he was able to perform the essential functions of a taxi cab driver with or without reasonable accommodation...The defendant asserts that because taxi drivers may not refuse service to a patron with a service animal pursuant to federal and state law, the plaintiff cannot demonstrate that he can perform the essential functions of a taxi cab driver." (pp. 733-734)

WEST KEY NUMBERS:

- Civil Rights
 - I. Rights Protected and Discrimination Prohibited in General
 - #1021.—Physical access and mobility; carriers
 - #1043. Public accommodations
 - #1044.—In general

ENCYCLOPEDIAS:

- *Am Jur 2d* New Topic Service American with Disabilities Act: Analysis and implications, Thomson West, 1992, with 2023 supplement (also available on Westlaw).

§ 370. Service animals must be permitted to accompany individuals with disabilities
§ 690. Accommodation of service animals

TEXTS & TREATISES:

You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the treatises cited.

References to online databases refer to in-library use of these databases.

- *Americans with Disabilities Practice and Compliance Manual*, Thomson West, 1992, with 2023 supplement (also available on Westlaw).
Chapter 2. State and local governments
§§ 2:105. Service animals
- *Litigating Animal Law Disputes: A Complete Guide for Lawyers*, Joan Schaffner and Julie Fershtman, editors, American Bar Association, 2009.
Chapter 6. The Disabled, Service Animals, and the Law
- *Every Dog's Legal Guide*, 7th ed., by M. Randolph, J.D., Nolo, 2012.
Chapter 8. Assistance dogs

Connecticut Judicial Branch, [Compensation for Crime Victims](#), Who Can Receive Victim Compensation?, A person who has a disability and owns or keeps a service animal that was injured or killed during a crime, [JDP-VS-10](#).

LAW REVIEWS:

Public access to law review databases is available on-site at each of our [law libraries](#).

- Emily Barigye, *Peacocks, Pigs, and Poorly Trained Dogs: The Relationship Between Misrepresented Service and Emotional Support Animals and Disabled Americans: A Call for Legislative Clarity*, 24 *Quinnipiac Health L.J.* 327 (2021).
- Rebecca J. Huss, *Pups, Paperwork, and Process: Confusion and Conflict regarding Service and Assistance Animals under Federal Law*, 20 *Nev. L. J.* 785 (2019-2020).
- Rebecca J. Huss, *Canines at the Company, Felines at the Factory: The Risk and Rewards of Incorporating Service Animals and Companion Animals into the Workplace*, 123 *Dickinson L. Rev.* 363 (2018-2019).
- Rebecca J. Huss, *Hounds at the Hospital, Cats at the Clinic: Challenges Associated with Service Animals and Animal-Assisted Interventions in Healthcare Facilities*, 40 *U. Haw. L. Rev.* 53 (2017-2018).
- Kayla Campbell, *Supporting Adoption of Legislation Criminalizing Fake Service and Emotional Support Animals*, 8 *J. Animal & Envtl. L.* 73 (2016-2017).
- Tiffany Lee, *Criminalizing Fake Service Dogs: Helping or Hurting Legitimate Handlers*, 23 *Animal L.* 325 (2016-2017).
- Gabriela Sandoval, *Service, Therapy, and Emotional Support Animals*, 44-JUL *Colo. Law.* 69 (2015).

- Debre Vey Voda-Hamilton et al., *Service and Emotional Support Animals: How to Accommodate Everyone's Needs*, 49-AUG Md. B. J. 4 (2016).

Section 5: Dogs as Pets

A Guide to Resources in the Law Library

SCOPE: Bibliographic resources related to the keeping of dogs as pets.

SEE ALSO: • [Municipal Ordinances by town](#)

DEFINITIONS: • Conn. Gen. Stat. § [22-350](#) (2023)
Classification of Dogs: "All dogs are deemed to be personal property."

• Conn. Gen. Stat. § [22-351a](#) (2023)
Companion Animal: "means a domesticated dog or cat that is normally kept in or near the household of its owner or keeper and is dependent on a person for food, shelter and veterinary care, but does not include a dog or cat kept for farming or biomedical research practices."

CT STATUTES:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

Conn. Gen. Stat. (2023)

- [Chapter 248](#). Vehicle highway use.
§ [14-226](#). Operator to report injury to dog.
§ [14-272b](#). Transport of dogs in pick-up trucks.
Restrictions.
- [Chapter 435](#). Dogs and other companion animals.
§ [22-350](#). Dogs as personal property. Tax exemption. Theft.
§ [22-350a](#). Tethering dog to stationary object or mobile device. Prohibited means. Retention of other protections afforded dogs. Confining or tethering dog for unreasonable period of time. Fines.
§ [22-351](#). Theft, killing or injuring of companion animal. Penalty. Liability.
§ [22-351a](#). Liability for intentionally killing or injuring companion animal.
- [Chapter 802c](#). Trusts.
§ [45a-489a](#). Trust to provide for care of animal: Creation. Administration. Jurisdiction. Termination.

PUBLIC ACTS:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website.

- [Public Act No. 22-59](#), sec. 1. "An Act Concerning the Tethering and Sheltering of Dogs."
- [Public Act No. 19-137](#), sec. 118. "An Act Concerning Adoption of the Connecticut Uniform Trust Code."

OLR REPORTS:

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- *State Laws Prohibiting Property Insurers from Considering a Dog's Breed*, Janet Kaminski Leduc, Office of Legislative Research Report, [2022-R-0161](#) (August 3, 2022).
- *Pet Insurance Regulation*, Alex Reger, Connecticut General Assembly, Office of Legislative Research Report, [2020-R-0215](#) (August 31, 2020).
- *State Laws Prohibiting Leaving Animals in Unattended Vehicles*, Olivia Roman, Connecticut General Assembly, Office of Legislative Research Report, [2018-R-0057](#) (March 2, 2018).
- *Pet Custody After Divorce*, Susan Price, Connecticut General Assembly, Office of Legislative Research Report, [2011-R-0027](#) (January 25, 2011).

FORMS:

- *Drafting Trusts in Connecticut*, 2d, by Ralph H. Folsom and Laura Weintraub Beck, Thomson West, 2024 (also available on Westlaw).
Appendix B. Model Trust Forms
 - § 11a. Pet trust-- commentary
 - § 11b. Model language for Testamentary Pet Trust

CASE LAW:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Animals R. Family, Inc. v. Sunrise Assisted Living of Stamford et al.](#), Superior Court, Judicial District of Stamford-Norwalk at Stamford, No. CV19-5021239-S, (July 10, 2019) (68 Conn. L. Rptr. 827) (2019 WL 3526443). "The plaintiff has commenced this replevin action, together with a request for a prejudgment remedy, against the defendants seeking possession of a dog named Happy."

"The plaintiff is an animal rescue organization. Several years ago, it became aware that Happy, then in North Carolina, was in distress. The plaintiff transported Happy to Connecticut to nourish it and, ultimately, to place it up for adoption by appropriate caregivers. The plaintiff decided upon the defendant, Sunrise Assisted Living of Stamford ("Sunrise") for that purpose. In 2012, the plaintiff and Sunrise entered into an adoption agreement. Among other provisions in the agreement, the plaintiff retained the right to reclaim Happy if he was not adequately cared for, and it provided that Sunrise would not transfer possession or ownership of Happy to any third party without the prior consent of the plaintiff. The agreement also provided that any disputes thereunder would be resolved by arbitration."

"The plaintiff tracked Happy's welfare for about a year; thereafter, Happy remained under the care, custody and control of Sunrise. Sometime thereafter, in approximately 2016, Sunrise 'retired' Happy from active service. It gave Happy to the defendant, Marie Malwitz, who was an

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

employee of Sunrise at that time. Sunrise had inexplicably 'forgotten' about the adoption agreement. There is no evidence suggesting that Malwitz had been aware of the adoption agreement. Thereafter, Malwitz took on the care of Happy." (p. 827)

- Kenny v. Francoeur and Northrop, Superior Court, Judicial District of Ansonia-Milford at Milford, No. CV17-5012438 (January 26, 2018) (2018 WL 1003620) (2018 Conn. Super. LEXIS 146). "In further pursuit to obtain and retain possession of the dog the plaintiff has brought a writ of replevin pursuant to Connecticut General Statutes 52-515... which provides: 'the action of replevin may be maintained to recover any goods or chattels in which the plaintiff has a general or special property interest with a right to immediate possession and which are wrongfully detained from him in any manner, together with damages for such wrongful determination.' The trial court's task is to make a finding as to the right to immediate possession and wrongful determination. This is a question of fact. Angrave v. Oates, 90 Conn.App. 427, 429, 876 A.2d 1287 (2005)." (p. 6)
- Hao Xia v. Aili Xiao, Superior Court, Judicial District of Hartford, No. FA13-4069386-S (October 28, 2014) (2014 WL 6843662). "One asset of more sentimental than monetary value is the parties' pet dog. Each testified as to his or her deep affection for the dog. The court finds the testimony of the husband on this particular point more credible. The court also finds credible the husband's testimony that he was the one who purchased the dog and that he had possession of it in China in 2013 when the wife, there on a visit, left China with the dog without the husband's prior knowledge or consent. The orders herein regarding the pet reflect such findings." (p. 5)

"The husband shall own the family dog, on the condition that he makes appropriate arrangements at his sole expense to transport the dog to the husband's home within forty-five (45) days after the judgment....The wife shall cooperate reasonably with the husband or husband's agents in fulfilling the husband's arrangements for transporting the dog. The wife shall also be responsible If the husband fails to retrieve the dog or otherwise arrange for its transportation to his home within said period of forty-five (45) days, then he shall have no further right or claim to the dog, which shall in that case become the property of the wife." (p. 7)
- Rocco v. Shaw, Superior Court, Judicial District of Stamford-Norwalk, No. FA12-4024301-S (September 5, 2014) (2014 WL 5137982). "The defendant shall retain the parties' two dogs and one cat at her sole cost and expense and shall indemnify and hold the plaintiff harmless from all expenses relating thereto." (p. 7)

- Sousa v. Sousa, Superior Court, Judicial District of New London, No. FA11-4116624-S (May 16, 2012) (2012 WL 2044640) (2012 Conn. Super. LEXIS 1259). "In addition, the wife testified that she purchased the dog, Nadia, yet the husband produced a receipt showing that he purchased the dog." (p. 5)

"The husband shall retain the dogs and the remainder of the personal property in the marital residence." (p. 6)

- Stamford Landing Condominium Association, Inc. v. Lerman et al., 109 Conn. App. 261, 269-70, 951 A.2d 642 (2008). "General Statutes § 47-244(c)(1) provides in relevant part: Unless permitted by declaration or this chapter, an association may adopt rules and regulations that affect the use or occupancy of units that may be used for residential purposes only to: (A) Prevent any use of a unit which violates the declaration; (B) Regulate any occupancy for a unit which violates the declaration or adversely affects the use and enjoyment of other units..."

"...We concur with the court... that § 47-244(c)(1)(B) allows precisely for the rule disputed here, which provides that '[n]o tenant may house pets of any kind on the premises.' The court concluded that 'rules concerning pets fall squarely within the powers of a condominium association' and specifically noted § 47-244 (c)(1)(B)."

WEST KEY NUMBERS:

- Animals
 - #1.5. Animals as property; status
 - #1.5(4). Dogs

DIGESTS:

- West's Connecticut Digest: Animals
See West Key Numbers listed above

ENCYCLOPEDIAS:

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- Enforcement of Restrictive Covenant or Lease Provision Limiting the Keeping of Animals or Pets on Residential Property, 93 *Am Jur Trials* 193, 2004 (also available on Westlaw).
 - I. Introduction and legal background
 - II. Enforcement of covenants restricting keeping of animals or pets
 - III. Enforcement of lease provision restricting keeping of animals or pets
 - IV. Remedies for breach of pet restrictions
 - V. Case intake and pleadings
 - VI. Discovery
 - VII. Trial

TEXTS & TREATISES:

- 93 COA 2d 1, *Cause of Action for Recovery, Possession, or Custody of Pet or Other Animal*, by Beth Holliday, Thomson West, 2020.

Each of our law libraries own the Connecticut treatises cited. You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the other treatises cited or to search for more treatises.

References to online databases refer to in-library use of these databases. Remote access is not available.

- *Pet Law and Custody*, by Barbara J. Gislason, American Bar Association, 2017.
- *Litigating Animal Law Disputes: A Complete Guide for Lawyers*, Joan Schaffner and Julie Fershtman, editors, American Bar Association, 2009.
Chapter 3. Ownership, Custody, and Keeping of Animals
- *Every Dog's Legal Guide*, 7th ed., by M. Randolph, J.D., Nolo, 2012.
Chapter 6. Traveling with your dog
Chapter 7. Barking dogs
Chapter 10. Providing for pets
Chapter 13. Dogs and divorce
- *Drafting Trusts in Connecticut*, 2d, by Ralph H. Folsom and Laura Weintraub Beck, Thomson West, 2024 (also available on Westlaw).
Chapter 3. Basic Dispositive Provisions
§ 3:21. Provisions for pets
- 20 Connecticut Practice Series, *Connecticut Elder Law*, 2022 ed., by Kate McEvoy, Thomson West, 2024 (also available on Westlaw).
Chapter 2. Tools for Managing Finances and Property
§ 2:18. Pet trusts

LAW REVIEWS:

Public access to law review databases is available on-site at each of our [law libraries](#).

- David Missirian, *Is Man's Best Friend Great for Personal Protection Or a Huge Lawsuit in Waiting*, 10 J. Animal & Envtl. L. 1 (2018-2019).
- Amber M. Lopez-Hunter, *Fur Babies Matter: My Dog Is Not Property*, 4 Savannah L. Rev. 259 (2017).
- Zanna Shafer, *Home is Where the Dog Is: A Discussion of Homeless People and Their Pets*, 23 Animal L. 141 (2016-2017).
- K. Ali, *Pets and Courts: Attorneys See Rise in Animal Advocacy, Pet Custody Disputes*, 42 Conn. L. Trib., No. 42, p.1, (October 17, 2016).
- A. B. Wang, *A Divorcing Couple Asked a Judge to Treat Their Dogs like Children. Here is His Reply*, The Washington Post (online), December 21, 2016.
- J. DeWitt Gregory, *Pet Custody: Distorting Language and the Law*, 44 Fam. L. Qtrly, No. 1, p. 35 (Spring 2010).

Section 6: Comfort and Support Dogs for Witnesses

A Guide to Resources in the Law Library

SCOPE: Bibliographic resources related to the use of dogs for comfort and support to witnesses in court facilities

SEE ALSO: • The Connecticut Judicial Branch Law Libraries *Law by Subject* Page on [Connecticut Law about Comfort and Support Dogs for Witnesses](#)

DEFINITIONS: • "...[D]ifferentiation between **service dogs, therapy dogs and facility dogs**....

"The preferred term for a dog used in a courthouse setting to provide comfort to a witness is 'facility dog,' [al]though cases and the literature on the subject have also called them testimony dogs, courthouse dogs, companion dogs, therapy dogs, service dogs, comfort dogs, therapy assistance dogs, support canines, and therapeutic comfort dogs. Most of these terms imply canine functions in providing comfort or reducing anxiety and should be avoided because the function of the dogs in a courtroom setting is far more specific. Most dogs described in cases [thus] far have been trained in a manner similar to how therapy dogs are trained, but not all dogs were actually trained or certified therapy dogs so this term would also be confusing. A service dog is generally a dog that assists a particular individual with a disability.... Therefore, that term is also best avoided. Companion dogs are generally pets.... Calling a dog a courthouse dog has a clever journalistic ring, but might suggest the dog lives in the courthouse....

"A facility dog can interact with people in courthouse public areas, child advocacy centers, and drug courts; play with office staff; participate in forensic interviews; calm victims and witnesses; and accompany witnesses to the stand in a courtroom. Facility dogs are not the same as therapy dogs. Courtroom work can be stressful for an inadequately trained dog — there may be angry shouts, an upset defendant, weeping witnesses, and crowded benches. Therapy dog training is not the appropriate training for a dog [that] will be in court accompanying witnesses to the stand. The professional working dog will be less affected by the stress of a courtroom trial activity." (Internal quotation marks omitted.) [State v. Devon D.](#), 150 Conn. App. 514, 538-539, n.10, 90 A. 3d 383 (2014).

STATUTES:

- Conn. Gen. Stat. (2023)
[Chapter 870](#). Judicial Department.
§ [51-10d](#). Judicial Branch Internet Web Site. Notice and information re animal-assisted therapy.

LEGISLATIVE:

[Public Act No. 17-185](#). *An Act Concerning the Provision of Information About the Use of Therapy Dogs to Comfort and Support Testifying Witnesses in Certain Criminal Prosecutions.* (codified at § [51-10d](#)).

- [Legislative History for Public Act 17-185](#)

CONNECTICUT CASE:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

SUBSEQUENT CASES FROM OTHER JURISDICTIONS:

- [State of Connecticut v. Devon D.](#), 321 Conn. 656, 686, 138 A.3d 849 (2016). "We conclude that the trial court may exercise its discretion to permit a dog to provide comfort and support to a testifying witness. Before doing so, the court must balance the extent to which the accommodation will help the witness to testify reliably and completely against any possible prejudice to the defendant's right to a fair trial. The trial court should consider the particular facts and circumstances for the request to have a dog accompany the particular witness, the extent to which the dog's presence will obviate the need for more drastic measures to secure the witness' testimony. The trial court should balance these factors against the potential prejudice to the defendant and the availability of measures to mitigate any prejudice, such as limiting instructions and procedures to limit the jury's view of the dog."
- [Commonwealth of Pennsylvania v. Purnell](#), 2020 PA Super 127, 233 A.3d 824, 2020 Pa. Super. LEXIS 440 (2020). "Although Pennsylvania courts have not addressed this issue, appellate courts in multiple other jurisdictions have held that it is within a trial court's discretion to permit a witness to use a support animal, as part of each judge's power to manage trial conduct." (p.835)

"Although none of the jurisdictions to examine this issue have found that the presence of a comfort dog is inherently prejudicial, one state court required a balancing test; in [State v. Devon D.](#), 138 A.3d 849, 867 (Conn. 2016), the Supreme Court of Connecticut articulated the following test:

Before [permitting a comfort dog in the courtroom], the [trial] court must balance the extent to which the accommodation will help the witness to testify reliably and completely against any possible prejudice to the defendant's right to a fair trial. The trial court should consider the particular facts and circumstances for the request to have a dog accompany the particular witness, the extent to which the dog's presence will permit the witness to testify truthfully, completely and reliably, and the extent to which the dog's presence will obviate the

need for more drastic measures to secure the witness' testimony. The trial court should balance these factors against the potential prejudice to the defendant and the availability of measures to mitigate any prejudice, such as limiting instructions and procedures to limit the jury's view of the dog.

Although the trial court in the current appeal did not apply this balancing test — and we will not retroactively require it, we find this test to be prudent and advise trial courts in the future to employ it when ruling on requests for the presence of service or support animals in the courtroom.” (n.11)

- [Jones v. The State of Georgia](#), 354 Ga. App. 568, 578, 841 S.E.2d 112 (2020). “The use of service animals for witnesses with mental, psychological, or emotional conditions appears to be a matter of first impression in Georgia, but we start with the proposition that a trial court has the responsibility under OCGA § 24-6-611 (a) [to] exercise reasonable control over the mode and order of interrogating witnesses and presenting evidence so as to: (1) Make the interrogation and presentation effective for the ascertainment of the truth; (2) Avoid needless consumption of time; and (3) Protect witnesses from harassment or undue embarrassment. ‘The discharge of [this responsibility] necessarily entails the exercise of discretion.’ [United States v. Hill](#), 643 F.3d 807, 845 (IV) (a) (11th Cir. 2011).”

“Here, the trial court investigated the matter outside the jury’s presence and took evidence on the witness’s condition, the need for the service animal, and the service animal’s training. The court also consulted with counsel to employ procedures designed to minimize the dog’s presence and visibility to the jury. Under these circumstances, we find that the trial court acted within its discretion in allowing O. Y.’s dog to accompany him during his testimony.”

- [State of Arizona v. Millis](#), 241 Ariz. 802, 391 P.3d 1225, 1235 (2017 Ariz. App. LEXIS 35) (Ct. App. 2017). “He [the defendant] notes that other jurisdictions typically allow facility dogs for children or developmentally disabled adult witnesses whose testimony might otherwise be unavailable, and argues that the state made no particularized showing why S.F.—an adult with no apparent disability—needed one. However, the record indicates that the court considered factors relevant to its discretionary balancing of potential benefits and potential prejudices from a dog. For instance, the court was informed that Blake would not accompany S.F. at the witness stand, but would only sit with her in the gallery. This supports the court’s finding that the use of the dog would not unfairly prejudice Millis, because the animal would have been less visible and

prominent to the jury in the gallery than it would have at the witness stand."

**WEST KEY
NUMBERS:**

- *West's Connecticut Digest: Witnesses*
III. Examination
(A). Taking testimony in general
#228. Mode of testifying in general

DIGESTS:

- *A.L.R. Digest: Witnesses*

ENCYCLOPEDIAS:

- *21 Am Jur 2d Witnesses*, Thomson West, 2015 (also available on Westlaw).
§ 640. Allowance of comfort item or support dog

**TEXTS &
TREATISES**

- *Connecticut Trial Evidence Notebook*, 2nd ed., by Dale P. Faulkner et al., LexisNexis, 2023.
§ W-8- Witness, Dog Comfort

LAW REVIEWS:

Public access to law review databases is available on-site at each of our [law libraries](#).

- Samuel D. Hodge, Jr., *This Trial Participant Deserves a Pat on the Head—The Use of Facility Dogs in the Courtroom*, 45 *American Journal of Trial Advocacy* 351 (2022).
- Emily Barigye, *Peacocks, Pigs, and Poorly Trained Dogs: The Relationship Between Misrepresented Service and Emotional Support Animals and Disabled Americans: A Call for Legislative Clarity*, 24 *Quinnipiac Health L.J.* 327 (2021).
- Jill Mariani, *Courthouse Facility Dogs: A Witness's Best Friend*, 35 *Crim. Just.* 14 (2020).
- John J. Ensminger, Sherri Minhinnick, James Lawrence Thomas, and Itiel Dror, *The Use and Abuse of Dogs in the Witness Box*, 25 *Suffolk J. Trial & App. Adv.* 1 (2019-2020).
- Kayla A. Burd, *Facility Dogs in the Courtroom: Comfort without Prejudice*, 44 *Crim. Just. Rev.* 515 (2019).
- Lorie Gerkey, *Legal Beagles, a Silent Minority: Therapeutic Effects of Facility Dogs in the Courtroom*, 1 *Int'l J. Therapeutic Juris.* 405, 430 (2016).