



NATIONAL CRIME VICTIM LAW INSTITUTE

PROTECTING, ENFORCING & ADVANCING VICTIMS' RIGHTS

SURVEY OF STATE STATUTES EXPLICITLY PROVIDING FOR CRIMINAL RESTITUTION FOR OFFENSES INVOLVING WORKING DOGS

- This chart is intended for educational purposes only and is not intended to be a comprehensive listing of authority. NCVLI makes no warranty regarding the current status of the statutes and cases cited or summarized.
- Before relying on any of the law contained in this chart, an attorney must perform an independent review and analysis of the case or statute, including its subsequent history.
- Please contact NCVLI with any questions you may have about your jurisdiction's definition of crime victim by telephone at (503) 786-6819 or by e-mail at ncvli@lclark.edu. For more information about crime victims' rights, please visit www.ncvli.org.

| JURISDICTION | CITATION | BRIEF SUMMARY ¹ |
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| Alabama | Ala. Code § 13A-11-263. | An individual convicted of various offenses relating to police animals and search and rescue animals may be ordered by the court to pay restitution to the owner of the police animal or search and rescue animal and the agency involved for expenses caused by the offense. Restitution includes, but is not limited to, veterinary expenses, replacement costs of the animal if it can no longer perform its duties, the salary of the handler for the period of time his or her services are lost to the employer, any expenses for a replacement employee during that period, the value of services lost to the employer until replacement services are obtained, any lost or damaged equipment, and any training, retraining, or rehabilitation expenses for the animal and for the handler. |

¹ The summaries provided adopt the language used by the respective states' statutes and do not necessarily reflect NCVLI's positions regarding working animals.

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| Alaska | | |
| Arizona | | |
| Arkansas | Ark. Code Ann. § 20-14-304(e). | Any person who kills or injures any service animal or search and rescue dog shall make restitution to the owner of the animal. |
| California | Cal. Penal Code § 600.2. | Any person who owns, harbors, or controls a dog that injures or causes the death of any guide, signal, or service dog while that dog is discharging its duties shall be ordered to make restitution to the person with a disability who has custody or ownership of the dog for any veterinary bills and replacement costs of the dog if it is disabled or killed, or any other reasonable costs deemed appropriate by the court. |
| | Cal. Penal Code § 600.5. | A person who intentionally causes injury to or the death of a guide, signal, or service dog while the dog is discharging its duties shall be ordered to make restitution to the person with a disability who has custody or ownership of the dog for any veterinary bills and replacement costs of the dog if it is disabled or killed, or any other reasonable costs deemed appropriate by the court. |

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| Colorado | Colo. Rev. Stat. Ann. § 18-9-202. | A person convicted of cruelty to a service animal shall be ordered to make restitution to the agency or individual owning the animal for any veterinary bills and replacement costs of the animal if it is disabled or killed as a result of the cruelty to animals incident. |
| Connecticut | | <p>Note: this case does not specifically address working dogs.</p> <p><i>State v. Doriss</i>, 854 A.2d 48 (Conn. App. Ct. 2004) (affirming restitution order for, <i>inter alia</i>, the cost of veterinary expenses incurred by the owner of a dog that was injured by defendant's dog).</p> |
| Delaware | Del. Code Ann. tit. 9, § 916. | Persons who intentionally interfere with the use of a service dog, injure or disable a service dog, kill a service dog, or steal or wrongfully obtain a service dog shall be ordered to make full restitution for all damages, including incidental and consequential expenses incurred that arise out of or are related to the criminal offense. |
| Florida | Fl. Stat. Ann. § 843.19. | Individuals who intentionally cause great bodily harm, permanent disability, or death to, or use a weapon upon a police dog, fire dog, search and rescue dog, or police horse, or who maliciously touch, harass, tease, interfere with, or attempt to interfere with one of these animals shall make restitution for any injuries caused to the animal and shall pay the replacement cost of the animal if, as a result of the offense, it can no longer perform its duties. |

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| | Fl. Stat. Ann. § 413.081. | <p>Any person who interferes with, or permits his or her dog to interfere with the use of a service animal, or who injures or kills, or permits his or her dog to injure or kill a service animal is guilty of an offense.</p> <p>Restitution includes the value of the service animal, replacement/training/retraining expenses, veterinary and other medical and boarding expenses for the service animal, medical expenses for the user, and lost wages or income incurred by the user during any period the user is without the assistance of the service animal.</p> |
| Georgia | | <p><i>Futch v. State</i>, 723 S.E.2d 714 (Ga. Ct. App. 2012) (upholding restitution in the amount of the fair market value of a trained hunting and retrieving dog).</p> |
| Hawaii | Haw. Rev. Stat. § 711-1109.4. | <p>Any person who causes injury or death to a service dog or law enforcement animal shall be ordered to make restitution to the owner of the service dog or law enforcement animal for any veterinary bills and out-of-pocket costs incurred as a result of injury, as well as to the person, entity, or organization that incurs the cost of retraining or replacing the service dog or law enforcement animal for those expenses if it is disabled or killed.</p> |

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| Idaho | Idaho Code Ann. § 18-5812. | <p>Any individual who permits an animal that is owned, harbored, or controlled by him to cause injury to or the death of any assistance dog or dog-in-training or who intentionally causes injury to or the death of any assistance dog or dog-in-training shall be ordered to make full restitution to the owner or custodian of the dog for all veterinary bills, replacement, and other costs resulting from the injury or death of the dog.</p> |
| | Idaho Code Ann. § 18-7039. | <p>Any individual who willfully and with no legal justification causes the death or destruction of, or serious physical injury to any police dog, police horse, search and rescue dog, or accelerant detection dog, or who throws, hurls or projects a rock or other substance capable of producing injury, or who strikes, beats, kicks, torments, interferes with or obstructs any police dog, police horse, or search and rescue dog shall be ordered to pay restitution to the agency that owns the animal and employs the peace officer for any veterinary bills, replacement costs of the animal if it is disabled or killed, and the salary of the police officer for the period of time his or her services are lost to the agency.</p> |

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| Illinois | 510 Ill. Comp. Stat. 70/7.15. | A person who willfully and maliciously tortures, injures, or kills a guide, hearing, or support dog, or who permits a dog owned, harbored, or controlled by that person to cause the injury or death of such a dog may be ordered to make restitution to the disabled person who has custody or ownership of the dog for veterinary bills and replacement costs of the dog. |
| Indiana | Ind. Code § 35-46-3-11.3. | An individual who knowingly or intentionally interferes with the actions of a search and rescue dog while the dog is performing or attempting to perform a search and rescue task or who strikes, torments, injures, or otherwise mistreats a search and rescue dog may be ordered to make restitution to the person who owns the search and rescue dog for veterinary bills and, if the dog is disabled or killed, for replacement costs. |
| Iowa | | |
| Kansas | | |
| Kentucky | Ky. Rev. Stat. Ann. § 525.215. | An individual convicted of first or second degree assault on a service animal may be ordered to make restitution to the person or agency owning the animal for any veterinary bills, replacement costs of the animal if it is disabled or killed, and the salary of the animal handler for the period of time his or her services are lost to the agency or self-employment. |
| Louisiana | La. Rev. Stat. Ann. § 14:102.8. | A person who commits the crime of injuring or killing a police animal shall be ordered to make full restitution to the public safety agency suffering a financial loss from the injury or killing of the police animal. If the convicted offender is unable to make restitution in full at the time of conviction, the court shall order a periodic payment plan consistent with the person's financial ability. |

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| Maine | Me. Rev. Stat. tit. 7, § 3961-A. | An individual who owns or keeps a dog that attacks, injures, or kills a service animal while the service animal is discharging its duties shall be ordered to make restitution to the owner of the service animal for any veterinary bills and necessary retraining costs or replacement costs of the service animal if it is disabled or killed. |
| Maryland | | |
| Massachusetts | | |
| Michigan | | |
| Minnesota | Minn. Stat. Ann. § 609.226. | An individual who negligently or intentionally permits his or her dog to run uncontrolled off the person's premises, or who fails to keep the dog properly confined or controlled, and the dog causes bodily harm to a service dog or renders the service animal unable to perform its duties shall be ordered to pay restitution for costs and expenses resulting from the offense – including, but not limited to the service animal user's loss of income, veterinary expenses, transportation costs, other expenses of temporary replacement assistance service, and service animal replacement or retaining costs. If the convicted person is indigent, the court may reduce the amount of restitution to a reasonable level or order it paid in installments. |

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| | Minn. Stat. Ann. § 609.596. | <p>An individual who causes the death of, or assaults or causes bodily harm to a police dog, a search and rescue dog, or an arson dog shall be ordered to pay restitution for the costs and expenses resulting from the offense – including, but not limited to the purchase and training of a replacement dog and veterinary services for the injured dog. If the convicted person is indigent, the court may reduce the amount of restitution to a reasonable level or order it paid in installments.</p> |
| Mississippi | Miss. Code Ann. § 97-41-16. | <p>Note: this statute does not specifically address working dogs.</p> <p>A person who is convicted of various offenses against a domesticated dog or cat shall be ordered to pay restitution to the owner of the animal for the current replacement value of loss, actual veterinarian fees, medicine, special supplies, loss of income, and other costs. The court may order restitution to be paid to a law enforcement agency or other animal welfare governmental agency or nonprofit nongovernmental agency for the reasonable costs of sheltering, transporting, and rehabilitating the animal, and any other costs directly related to the care of the animal.</p> |

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| Missouri | | |
| Montana | | |
| Nebraska | Neb. Rev. Stat. § 28-1011. | A person who is convicted of harassing a police animal may be ordered to reimburse a public or private agency for expenses incurred in conjunction with the care, impoundment, or disposal of an animal involved in the violation of such section. Whenever the court believes that such reimbursement may be a proper sentence, or the prosecuting attorney requests, the court shall order that the presentence investigation report include documentation regarding the nature and amount of the expenses incurred. |
| Nevada | Nev. Rev. Stat. §426.790. | An individual who interferes with or allows a dog or other animal the person owns, harbors, or controls to interfere with the use of a service animal or service animal in training, or who beats or kills a service animal or service animal in training shall be ordered to pay restitution to the person who has the disability or the person who has custody or ownership of the service animal or service animal in training if the animal is killed, disabled, or becomes mentally or physically unable to perform its duties. Restitution must cover all costs for aides, assistance, transportation, and other hardships incurred during the absence and until the replacement of the service animal or service animal in training. |

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| | Nev. Rev. Stat. §426.810. | An individual who allows a dog or other animal that the person owns, harbors, or controls to cause injury to or the death of a service animal or service animal in training, or to endanger or cause injury to a person who is accompanied by a service animal or who is training the service animal shall be ordered to pay restitution to the person who has the disability or the person who has custody or ownership of the service animal or service animal in training if the animal is killed, disabled, or becomes mentally or physically unable to perform its duties. Restitution must cover all costs for aides, assistance, transportation, and other hardships incurred during the absence and until the replacement of the service animal or service animal in training. |
| New Hampshire | | |

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| <p>New Jersey</p> | <p>N.J. Stat. Ann. § 2C:29-3.1.</p> | <p>Any person who interferes with a law enforcement officer using an animal in the performance of his official duties may be subject to restitution.</p> |
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N.J. Stat. Ann. § 2C:29-3.2.

Any person who recklessly kills, injures, or interferes with the use of a service animal or guide dog, or who permits a dog that person has control of to injure, kill, or interfere with the use of a service animal or guide dog, shall make full restitution for all damages that arise out of or are related to the offense, including incidental and consequential damages incurred by the handler of the service animal or guide dog. Restitution shall include, but not be limited to: the value of the service animal or guide dog; replacement, training, or retraining expenses for the service animal, guide dog, and handler; veterinary and other medical and boarding expenses; medical expenses for the handler; and lost wages or income incurred by the handler during any period he or she is without the services of the service animal or guide dog.

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| <p>New Mexico</p> | <p>N. M. Stat. Ann. § 30-18-13.</p> | <p>An individual who injures a police dog, police horse, or fire dog may be ordered to make restitution for the animal's veterinary bills or the replacement costs if the animal is permanently disabled, killed, or destroyed.</p> |
| <p>New York</p> | <p>N.Y. Penal Law § 60.27.</p> | <p>A person who is convicted of harming an animal trained to aid a person with a disability in the first or second degree shall be ordered to pay restitution to the person with a disability who was aided by such animal.</p> |

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| North Carolina | N.C. Gen. Stat. Ann. § 14-163.1. | A person convicted of killing, causing harm to, taunting, teasing, harassing, delaying, obstructing, or attempting to delay or obstruct an animal he or she knows or has reason to know is a law enforcement agency animal, an assistance animal, or a search and rescue animal shall be ordered to make restitution to the person with a disability, or to a person, group, or law enforcement agency who owns or is responsible for the care of the law enforcement agency animal or search and rescue animal for any of the following, as appropriate: veterinary, medical care, and boarding expenses for the animal; medical expenses for the person with the disability; replacement, training, or retraining expenses for the animal; expenses incurred to provide temporary mobility services to the person with a disability; wages or income lost while the person with a disability is with the assistance animal receiving training or retraining; the salary of the search and rescue handler as a result of search and rescue services lost during the time he or she is with the search and rescue animal receiving training or retraining; and any other expense reasonably incurred as a result of the offense. |
| North Dakota | | |
| Ohio | | Note: this case does not specifically address working dogs. <i>State v. Byrd</i> , No. 04 BE 40, 2005 WL 1301768 (Ohio Ct. App. May 27, 2005) (affirming restitution payment to the owner of a dog that defendant's dogs injured). |

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| <p>Oklahoma</p> | <p>Okla. Stat. Ann. tit. 21, § 649.3.</p> | <p>Any person who encourages, permits, or allows an animal owned or kept by that person to fight, injure, disable, interfere with, or kill a service animal used for the benefit of any handicapped person shall be ordered to make restitution to the owner of the service animal for actual costs and expenses incurred as a direct result of any injury, disability, or death caused to the service animal. Restitution includes, but is not limited to the costs of replacing and training any new service animal.</p> |
| <p>Oregon</p> | | |
| <p>Pennsylvania</p> | <p>18 Pa. Cons. Stat. Ann. § 5511(a).</p> | <p>Note: <i>Comm. v. Mathis</i>, 464 A.2d 362, 367 n.3 (Pa. Super. Ct. 1983) (“The proper term for the reimbursement of personal injuries is reparation[;] however, that term has been grouped together for purposes of sentencing with the word restitution.”).</p> <p>If any person kills, maims, mutilates, tortures or disfigures any guide dog, hearing dog, or service dog, that person shall be required to make reparations for veterinary costs in treating the dog and, if necessary, the cost of obtaining and training a replacement dog.</p> |

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| | 18 Pa. Cons. Stat. Ann. § 5511(a.1). | <p>Note: <i>Comm. v. Mathis</i>, 464 A.2d 362, 367 n.3 (Pa. Super. Ct. 1983) (“The proper term for the reimbursement of personal injuries is reparation[;] however, that term has been grouped together for purposes of sentencing with the word restitution.”).</p> <p>If any person is the owner or co-owner of a dog that kills, maims, or disfigures a guide dog, hearing dog, or service dog without provocation, and that person knew or should have known that the dog had a propensity to attack without provocation and knowingly or recklessly failed to restrain the dog or keep the dog in a contained, secure manner, that person shall be ordered to make reparations for veterinary costs in treating the injured dog and, if necessary, the cost of obtaining and training a replacement dog.</p> |
| Rhode Island | | |
| South Carolina | S.C. Code Ann. § 47-3-970. | <p>Individuals who are convicted of violations involving guide dogs or service animals may be ordered to make full restitution for damages, including incidental and consequential expenses incurred by the guide dog or service animal and its user, that arise out of or are related to the criminal offense. Restitution includes, but is not limited to: the value of the replacement of an incapacitated or deceased animal, the training of a replacement animal, the retraining of an affected animal, veterinary and care expenses for the animal, medical expenses for the user, training of the user, and compensation for wages or earned income lost by the user.</p> |

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| South Dakota | | |
| Tennessee | Tenn. Code. Ann. § 39-14-216. | An individual who attempts to or actually maims or inflicts harm on a service animal, or knowingly interferes with a service animal in the performance of its duties, or who allows an animal in the person's immediate control to do so shall be ordered by the court to make full restitution for all damages that arise out of or are related to the offense, including incidental and consequential damages incurred by the service animal's handler or the recognized training agency or school. Restitution includes the value of the service animal if the animal is disabled or can no longer perform service animal duties, replacement and training or retraining expenses of the service animal or handler if necessary to restore the animal to service animal capabilities, veterinary and other medical and boarding expenses, medical expenses for the handler, and lost wages or income for any period the handler is without the services of the service animal. |
| Texas | Tex. Penal Code Ann. § 42.091. | A person who attacks, injures, or kills an assistance animal shall be ordered to make restitution to the owner of the assistance animal for related veterinary or medical bills, the cost of replacing the animal or having the animal retrained by an organization that is generally recognized as reputable and competent to train an animal to help a person with a disability, and any other expense reasonably incurred as a result of the offense. |

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| <p>Utah</p> | <p>Utah Code Ann. § 76-9-306.</p> | <p>An individual who causes bodily injury or death to a police service animal; engages in conduct likely to cause bodily injury or death to a police service animal; lays out, places, or administers any poison, trap, substance, or object likely to produce bodily injury or death to a police service animal; offers or agrees with one or more persons to engage in or cause the performance of than act that causes or is likely to cause bodily injury or death to a police service animal; taunts, torments, strikes, or otherwise assaults a police service animal; throws any object or substance at or in the path of a police service animal; obstructs or interferes with a police service animal, or attempts to, or interferes with the handler of the animal; releases a police service animal from its area of control; or places any food, object, or substance into a police service animal’s area of control without the permission of the handler is liable for restitution to the owning or employing law enforcement agency or individual owner of the police service animal for replacement, training, and veterinary costs incurred as a result of the offense.</p> |
| <p>Vermont</p> | <p>Vt. Stat. Ann. tit. 13, § 355.</p> | <p>A person who recklessly injures or causes the death of a guide dog (broadly defined), or permits a dog he or she owns to injure or cause the death of a guide dog, or who interferes with the use of a guide dog or permits his or her dog to do so shall have restitution considered by the court in any sentencing if the victim has suffered any material loss. Material loss means uninsured veterinary medical expenses, costs of temporary replacement assistance services, replacement value of an equally trained guide dog without differentiation for the age or experience of the dog, loss of wages, and costs and expenses incurred as a result of injury to the guide dog.</p> |

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| Virginia | Va. Code Ann. § 18.2-144.1. | A person who maliciously injures or administers or exposes poison with the intent that it be taken by a dog, horse, or other animal owned, used, or trained by a law-enforcement agency, regional jail, or the Department of Corrections while such animal is performing its lawful duties or is being kept in a kennel, pen, or stable while off duty, shall be ordered to pay restitution for the cost of any animal killed or rendered unable to perform its duties. Such cost shall include training expenses. |
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Washington

Wash. Rev. Code § 9.91.170.

Any person who interferes with the use of a dog guide or service animal, or who allows his or her dog to interfere with the use of a dog guide or service animal, or who injures, disables, or causes the death of a dog guide or service animal, or allows his or her dog to injure, disable, or cause the death of a dog guide or service animal, or who wrongfully obtains or exerts unauthorized control over a dog guide or service animal with intent to deprive the dog guide or service animal user of the animal shall be ordered to make full restitution for all damages, including incidental and consequential expenses incurred by the dog guide or service animal user and the dog guide or service animal that arise out of or are related to the offense. Restitution shall include, but is not limited to: the replacement value of an incapacitated or deceased dog guide or service animal, the training of a replacement animal, retraining of the affected dog guide or service animal, veterinary care expenses, medical expenses of the dog guide or service animal user, training of the dog guide or service animal user, and compensation for wages or earned income lost by the dog guide or service animal user.

Wash. Rev. Code § 9A.76.200.

Note: this is not a restitution statute, but it is included here because the statute mandates that funds from the fine be disbursed to the owner of the working animal.

A person who harms a police dog, accelerant detection dog, or police horse, regardless of whether the dog is actually engaged in police or acceleration detection work at the time of injury, may – in addition to any criminal penalty – be subject to a civil fine. Any civil fine collected must be distributed to the jurisdiction that owns the police dog.

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| <p>West Virginia</p> | <p>W. Va. Code § 19-20-24.</p> | <p>Any individual who causes the death of or physically injures any trained dog or horse used by law enforcement officials, the Department of Military Affairs and Public Safety, or by fire prevention or investigation officials in the performance of their official duties shall be ordered to make restitution to the law enforcement agency, the Department of Military Affairs and Public Safety, or to the State Fire Marshal or other fire prevention or investigation department or agency that owns the animal for any veterinary bills and replacement costs of any disabled or killed animal.</p> |
| <p>Wisconsin</p> | <p>Wis. Stat. Ann. § 951.18.</p> | <p>A person who frightens, intimidates, threatens, abuses, harasses, strikes, shoves, kicks or otherwise physically contacts an animal used by a law enforcement agency or fire department to perform agency or department functions or duties, or who interferes with, injures, causes the death of, or takes possession of or exerts control over a service dog without the consent of its owner and with the intent to deprive another of the use of a service dog, or who or allows his or her dog to interfere with, injure, or cause the death of the use of a service dog shall be required to pay restitution for any pecuniary loss suffered as a result of the offense, which includes veterinary and care expenses for the animal and medical expenses for the animal's user, lost income by the animal's user, and the value of a replacement animal, the cost of training a replacement animal, or the cost of retraining the affected animal. The court's determination of the value of a service animal shall be based on its value to its user and not on its cost or fair market value. The court shall consider the financial resources and future ability of the offender to pay restitution and determine the method of payment.</p> |

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| Wyoming | Why. Stat. Ann. § 6-5-211. | An individual who permanently disables or inflicts death upon any police dog, police horse, fire dog, or search and rescue dog shall be liable for restitution by order of a court. |
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