

ANIMAL ABANDONMENT AND NJ LAW

“Help not Hurt”

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ANIMAL ABANDONMENT

New Jersey has strict laws against animal abandonment. According to the **Prevention of Cruelty to Animals Act**, it is illegal to abandon a domestic animal or any sick or injured creature. Violators can be found guilty of a “disorderly persons offense” and fined up to \$1,000. *N.J.S.A. 4:22-17 et seq.*, The legal requirements set forth in the Act apply to any individual who owns or has custody or control (“caretaker”) of a dog, service animal or an animal that is a pet. However, an animal cruelty act may be considered a misdemeanor or felony depending on the facts.



Where are Companion Animals Typically Abandoned?

Houses, Apartments, Vacant Property, Cars, Vet Clinics, Animal Shelters, Pet Businesses, Parks, Woods, and Neighborhoods are the places most frequently where abandoned companion animals are found. Animals have been tied to trees, left behind when people move, tied to fences, and even thrown out of moving cars.



Today, Why Do People Abandon Their Pets?

In today’s tough economy many face difficult choices between feeding their families or their beloved pets. Evictions, unmanageable medical bills for the companion family members, and behavior challenges post-Covid return-to-work are all contributing to a surge in animal abandonments.



Are There Any Excuses That Can Be Used As A Defense to the Law?

If someone abandons an animal, even if shelter and food are provided that is abandonment. If an animal is unwanted the proper action would be to rehome the animal, find a rescue to take the animal, or bring the animal to the shelter.



Does The Animal Have to be Abused, Neglected, or Suffering to Meet The Abandonment Crime?

No! Abandonment occurs when the animal is abandoned. The condition of the animal is irrelevant. However, other crimes may be considered based on the condition of the animal.



The Most Common Excused for Abandonment

- Lack of time or resources
- The animal became a liability.
- Too difficult to handle.
- Owner Moved & left behind.
- Someone will find the animal & take it.
- Hardship

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Who Can Be Charged?

One who abandons an animal. This can be shown by actual or circumstantial evidence. An example would be an owner who leaves their apartment and takes everything but their pet. The difficulty lies in finding their whereabouts.



What If The Intent Was Not to Abandon The Animal?

One who leaves the property, fails to return due to unforeseen circumstances may not intend to abandon the animal. Such a person should take reasonable precautions for the animal by notifying police, a friend, family member, or animal control to care for or remove the animal. If the person did not “intend” to abandon the animal the crime of Animal Abandonment is not supported.



What if people abandon multiple animals or multiple people abandon the same animal?

Each animal abandonment is a separate crime. If more than one owner/caretaker all should be charged depending on the facts.



Can This Be A Felony?

No But Animal Cruelty can be a felony if the facts support the felony provision of the statute.



Typical Protocol for Abandonment?

Once an abandonment report has been made:

- Investigation
- Post Notice
- No Response – Seize Animal
- If EXIGENT circumstances, call HLEO, Seize, take to DMV.



IT IS ILLEGAL TO ABANDON A DOMESTIC ANIMAL OR A SICK OR INJURED ANIMAL IN A PUBLIC PLACE