



CHAPTER 951

CRIMES AGAINST ANIMALS

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Cross-reference: See definitions in s. 939.22.

951.01 Definitions. In this chapter:

- (1) "Animal" includes every living:
 - (a) Warm-blooded creature, except a human being;
 - (b) Reptile; or
 - (c) Amphibian.
- (1m) "Conservation warden" means a warden appointed under s. 23.10.
- (2) "Cruel" means causing unnecessary and excessive pain or suffering or unjustifiable injury or death.
- (3) "Farm animal" means any warm-blooded animal normally raised on farms in the United States and used or intended for use as food or fiber.
- (3e) "Humane officer" means an officer appointed under s. 173.03.
- (3f) "Fire department" includes a volunteer fire department and a department under s. 60.553, 61.66, or 62.13 (2e).
- (3m) "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).
- (4) Law enforcement officer" has the meaning assigned under s. 967.02 (5) but does not include a conservation warden appointed under s. 23.10.
- (5) "Service dog" means a dog that is trained for the purpose of assisting a person with a sensory, mental, or physical disability or accommodating such a disability.

under ch.
 under state or federal law.

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(2) For purposes of enforcing this chapter as to wild animals subject to regulation under ch. 169, a conservation warden has the same powers and duties that a law enforcement officer has under this chapter.

(3) This chapter does not apply to:

(a) Teaching, research, or experimentation conducted pursuant to a protocol or procedure approved by an educational or research institution, and related incidental animal care activities, at facilities that are regulated under 7 USC 2131 to 2159 or 42 USC 289d.

(b) Bona fide scientific research involving species unregulated by federal law.

History: 1973 c. 314; 1983 a. 27 s. 2202 (38); 1987 a. 332 s. 54; Stats. 1987 s. 951.015; 1997 a. 248; 2001 a. 56; 2011 a. 32.

Rather than exclude all non-captive wild animals from coverage of ch. 951, the legislature instead prohibits enforcement that controverts ch. 29 and regulations governing "the taking of wild animals." By prohibiting a subset of takings — those that controvert ch. 29 — the legislature necessarily conveys its belief that there are takings that do not controvert ch. 29. *State v. Kuenzi*, 2011 WI App 30, 332 Wis. 2d 297, 796 N.W.2d 222, 09-1827.

Enhancing Animal Welfare Laws. Goode & Aizenberg. Wis. Law. Dec. 2011.

951.02 Mistreating animals. No person may treat any animal, whether belonging to the person or another, in a cruel manner. This section does not prohibit normal and accepted veterinary practices.

History: 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.02; 1993 a. 486; 2011 a. 32.

Conviction under this section does not require proof of intent or negligence. *State v. Stanfield*, 105 Wis. 2d 553, 314 N.W.2d 339 (1982). "Animal" in this section includes non-captive wild animals, such as the deer in this case. *State v. Kuenzi*, 2011 WI App 30, 332 Wis. 2d 297, 796 N.W.2d 222, 09-1827.

951.025 Decompression prohibited. No person may kill an animal by means of decompression.

History: 1985 a. 48; 1987 a. 332 s. 54; Stats. 1987 s. 951.025.

951.03 Dognapping and catnapping. No person may take the dog or cat of another from one place to another without the owner's consent or cause such a dog or cat to be confined or carried out of this state or held for any purpose without the owner's consent. This section does not apply to law enforcement officers or humane officers engaged in the exercise of their official duties.

History: 1973 c. 314 s. 4; Stats. 1973 s. 948.03; 1987 a. 332 s. 54; Stats. 1987 s. 951.03; 1997 a. 192.

951.04 Leading animal from motor vehicle. No person shall lead any animal upon a highway from a motor vehicle or from a trailer or semitrailer drawn by a motor vehicle.

History: 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.04.

951.05 Transportation of animals. No person may transport any animal in or upon any vehicle in a cruel manner.

History: 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.05.