

Public Policy Position
HB 4645 – HB 4651

The Animal Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 256 members. The Animal Law Section is not the State Bar of Michigan and the position expressed herein is that of the Animal Law Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Animal Law Section has a public policy decision-making body with 15 members. On September 11, 2025, the Section adopted its position after an electronic discussion and vote. 15 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 0 members did not vote.

Support

Explanation:

Michigan's statute prohibiting cruelty to animals, MCL § 750.50b, was amended effective March 21, 2019 to create three degrees of animal cruelty felonies, carrying a maximum sentence of ten years for first degree, seven years for second degree, and four years for third degree. Previously, the statutory maximum sentence for violating MCL § 750.50b was four years. However, even in the most egregious cases, the Michigan sentencing guidelines will not generate a jail or prison sentence unless the defendant has a prior record and/or is a habitual offender.

The Michigan Sentencing Guidelines are not mandatory. However, sentencing courts are required to determine the guideline range and take it into account when imposing a sentence. *People v. Lockridge*, 870 N.W.2d 502, 520 (Mich. 2015). Because felony animal cruelty is classified as a Crime Against Property, the sentencing guidelines fail to generate appropriate sentences for felony animal cruelty.

The Animal Law Section supports these bills because they would amend the sentencing guidelines to generate a more appropriate sentence in the case of felony animal cruelty against a companion animal. Intentional, violent acts of torture and/or death to animals should be sentenced differently than the intentional destruction of inanimate objects. People are strongly bonded to their companion animals, and studies show the vast majority consider pets to be family members. Well-documented and reliable studies prove the connection between animal abuse and human violence, which is known as "The Link."® Although under the anti-cruelty statute, first- and second-degree animal cruelty carry potential ten- and seven-year sentences for cruelty against companion animals, including situations where an abuser threatens or harms a companion animal "with the intent to cause mental suffering or distress to a person or to exert control over a person," the sentencing guidelines do not currently make a jail or prison sentence possible.



ANIMAL LAW SECTION

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