



AMERICAN
KENNEL CLUB®

Canine Legislation Position Statement

DUE PROCESS PROTECTIONS FOR DOG OWNERS

The American Kennel Club® believes that governments must protect constitutional rights and privileges of dog owners under American law. Owners must be afforded substantive and procedural due process protections, and must not be permanently or unreasonably deprived of the property interests they have in their animals without first pleading guilty to, being found guilty of, or pleading “no contest” to, animal-related criminal charges.

In cases involving seized animals in which an owner does not voluntarily surrender ownership, “bond for care” or “cost of care” laws that provide for the assessment of care costs upon a finding of probable cause of criminal activity must: limit such assessments to amounts that are reasonable, substantiated costs directly related to care of the seized animals; allow courts to waive such fees in cases involving an indigent defendant; provide for full refund of fees and interest in any case not resulting in a final adjudication of guilt or pleading no contest; and, absent the owner’s written consent, shall prohibit the spaying or neutering of, or performance of other elective non-therapeutic surgery on, any seized animal during pendency of a case.