**T.P.I. – CRIM. 12.03(a)**

**AGGRAVATED CRUELTY TO ANIMALS**

**(for offenses committed on or after 7/1/21)**

Any person who commits the offense of aggravated cruelty to animals is guilty of a crime.

For you to find the defendant guilty of this offense, the state must have proven beyond a reasonable doubt the existence of the following essential elements:

(1)(a) that the defendant *[killed] [maimed] [tortured] [crushed] [burned] [drowned] [suffocated] [mutilated] starved] [caused serious physical injury, a substantial risk of death or death to]* a companion animal with no justifiable purpose;

or

(1)(b) that the defendant failed to provide food or water to a companion animal resulting in a substantial risk of death;

and

(2) that the defendant acted intentionally or knowingly.

“Companion animal” means a pet normally maintained in or near the household or households of its owner or owners, other domesticated animal, previously captured wildlife, an exotic animal, or any other pet, including but not limited to, pet rabbits, a pet chick, duck, or pot bellied pig, not defined as livestock.

"Knowingly" means that a person acts knowingly with respect to the conduct or to circumstances surrounding the conduct when the person is aware of the nature of the conduct or that the circumstances exist. A person acts knowingly with respect to a result of the person's conduct when the person is aware that the conduct is reasonably certain to cause the result.

The requirement of "knowingly" is also established if it is shown that the defendant acted intentionally.

"Intentionally" means that a person acts intentionally with respect to the nature of the conduct or to a result of the conduct when it is the person's conscious objective or desire to engage in the conduct or cause the result.