In March 2018, a horse was ridden into a nightclub by a bikini-clad woman. [i] This is not the start of the punch line of a joke, but rather the start of a few legal battles that Mokai Lounge located in Miami Beach, Florida, is still facing. [ii] The horse was brought into the nightclub and paraded around in late evening on March 7th, into the early hours of March 8th. [iii] Early March 8th, videos surfaced of the horse inside the nightclub becoming very distressed, slipping and falling, and subsequently knocking the bikini-clad woman off of its back. [iv] City officials in Miami Beach received news of the event on and quickly reacted by shutting the club down the next day. [v] The mayor of Miami Beach stated that, “It was dangerous to [the] animal, it was dangerous to the public, it was inhumane. It wasn’t silly or sophomoric. It was outrageous.” [vi] The news of the nightclub having their license revoked and being shut down did not last long, as they were able to reopen following a hearing on March 19th. [vii] The club negotiated this reopening after they paid fines of $12,150 and donated $10,000 to a local Miami Beach equine rescue charity. [viii]
Multiple legal issues have arisen as a result of this event, from a person suing because she was burned by a sparkler held by someone backing away from the agitated horse [i] to a criminal investigation into whether the nightclub had committed an act of animal cruelty [ii]. The Florida “Cruelty to animals” statute is punishable when a person “unnecessarily overloads, overdrives, torments, deprives of necessary sustenance of shelter…or carries in or upon any vehicle, or otherwise, any animal in a cruel or inhumane manner.” [iii] The statute goes on to specify further that “a person who intentionally trips, rope, or lashes the legs of a horse by any means for the purpose of entertainment or sport commits a felony of the third degree…the term ‘trip’ means any act that consists of the use of any wire, pole, stick, rope, or other apparatus to cause a horse to fall or lose its balance.” [iv] With these statutes in mind, the determination of whether animal cruelty occurred at Mokai Lounge becomes a bit unclear. However, notably, the horse would not have fallen without the intentional actions taken by club staff and club-goers who caused the horse stress and made it fall off of the stage it was on.

Under Kentucky law, the standard for cruelty to animals in the second degree is less strict and the club would be more likely to be found guilty in Kentucky’s jurisdiction. [v] Kentucky specifies that a person is guilty when they “intentionally or wantonly” subject an animal to “cruel or injurious mistreatment through abandonment,” forced feeding, mutilation, beating, torturing any animal other than a dog or cat, tormenting, [vi] failing to provide adequate food, drink, space, or health care. [vii] Under this standard, if a nightclub in Kentucky had the same set of events happen where a horse was forcibly ridden into the club and then subsequently tripped and fell, the nightclub would most likely be found guilty of animal cruelty in the second degree. [viii] Further, the Kentucky animal cruelty statute goes on to state that if a person is convicted of or plead guilty to one of the listed offenses arising from treatment of an equine, the court may impose additional penalties against the person. [ix] Given the language of these animal cruelty statutes, it is probably best to confine the partying with your pet horse to the barn and avoid the nightclub scene.

[ii] Id.
[iii] Id.
[iv] Id.
[vi] Supra note 1.
[viii] Id.