

Fact Sheet

Senate Bill 353 (Kuehl) Inclusion of Animals in Domestic Violence Protective Orders

SB 353 increases protection for domestic violence victims by allowing both criminal courts and family courts to include animals in a domestic violence protective order.

Victims of domestic violence have overwhelmingly reported that their pets are being threatened, harmed or killed by their abuser as an aspect of the abuse perpetrated against them. Perpetrators often abuse animals in order to intimidate, harass or silence their human victims. As a result, domestic violence victims report delaying the decision to go to a shelter or to pursue other safety measures out of concern for the pet they would leave behind. In recent years, domestic violence and animal welfare advocates have begun to focus attention on the correlation between animal abuse and family violence.

Prevalence of animal abuse in family violence cases

University studies, coupled with surveys of domestic violence shelters and animal welfare organizations, show that abusers often threaten, injure or kill pets as a way of controlling others in the family. Studies from across the country have found an irrefutable link between domestic violence, child abuse and animal cruelty:

- A survey of pet-owning families with substantiated child abuse and neglect found that animals were abused in 88% of homes where child physical abuse was present (DeViney, Dickert, & Lockwood, 1983).
- A 1997 survey of 50 of the largest shelters for battered women in the United States found that 85% of women and 63% of children entering shelters discussed incidents of pet abuse in the family. (Humane Society of the United States, 1997)
- A study of women seeking shelter at a safe house showed that 71% of those having pets affirmed that their partner had threatened, hurt, or killed their companion animals. (Ascione, 1998)
- Another study showed that violent offenders incarcerated in a maximum-security prison were significantly more likely than nonviolent offenders to have committed childhood acts of cruelty toward pets (Merz-Perez, Heide, & Silverman, 2001).

Existing legal protections for domestic violence victims:

Restraining orders, which can be issued by a criminal or family court, are a legal tool to prevent batterers from committing further domestic violence. This is done by prohibiting all contact, or certain types of contact, between the batterers and their victims and victims' family members; ordering batterers to relinquish firearms and to be prevented from obtaining new ones; and prosecuting batterers who do not abide by these restrictions.

SB 353 will increase protections for domestic violence victims by explicitly allowing criminal and family courts to include animals in domestic violence restraining orders. This legislation will prevent abusers from harming or threatening to harm animals in order to exert power and control over their human victims. SB 353 is supported by the American Society for the Prevention of Cruelty to Animals (ASPCA), the California Partnership to End Domestic Violence (CPEDV), and the Humane Society of the United States.

For more information about SB 353, please contact Tam Ma in Senator Kuehl's office at (916) 651-4023.