



Animal Cruelty and Domestic Violence

What Is Animal Cruelty?

According to New York State Agriculture and Markets Law, animals are defined as “*every living creature other than a human being* [§ 350 (1)], whereby cruelty toward such beings “includes every act, omission, or neglect, whereby unjustifiable physical” [§350 (2)].

Domestic violence abusers frequently abuse pets and companion animals as a tactic of power and control, attempting to instill fear in victims and send a very clear message about their capacity for violence and their ability to destroy the victim’s most personal, valuable property. Abusers use animals to:

- demonstrate power and control over the family
- isolate the victim and children
- enforce submission
- perpetuate an environment of fear
- prevent the victim from leaving or coerce the victim to return
- punish the victim for leaving or showing independence

What Can Law Enforcement Do?

Every state makes animal cruelty a statutory offense. New York State embodies these laws under Article 26 of the Agricultural and Markets Law where, in Section 371, it states in part:

"A constable or police officer must, and any agent or officer of any duly incorporated society for the prevention of cruelty to animals may, summon or arrest, and bring before a court or magistrate having jurisdiction, any person offending against any of the provisions of Article 26 of the agriculture and markets law."

Signs of animal abuse should always be documented and reported to the appropriate agency empowered to investigate animal cruelty. The ASPCA Humane Law Enforcement Division is the law enforcement arm of the American Society for the Prevention of Cruelty to Animals (ASPCA). The agency enforces animal related laws, and investigates cases of animal cruelty.

What Can Victim Advocates and Domestic Violence Shelters Do?

When working with victims of domestic violence where pet/animal abuse is alleged or suspected, consider all of the following:

- Work with victims to be sure they include pets in their safety planning
- Include questions about any threats or injuries to current and former pets on intake questionnaires
- Work with local humane organizations or animal control to establish programs for the emergency housing of pets coming from homes experiencing violence

- Gather documents to prove that the pet legally belongs to the victim, in order to minimize custody disputes, keeping in mind that pets are considered property. These records may include proof of payment for the animal and/or license, proof of vaccinations, and receipts or a letter from the animal's veterinarian, as well as statements from those who know the animal to belong to the victim.
- Attempt to get the animal(s) in question added to the petition for an Order of Protection, especially if the animal has been injured or threatened.*
- If the victim is making plans to leave, discuss necessary items such as vaccination and medical records, a collar and ID tags, pet carrier, leash, medications, favorite toys, etc.
- Establish community coalitions against family violence that include humane societies, SPCAs, animal control agencies, and veterinarians.

*Effective in New York State as of July 26, 2006, companion animals may be added to an order of protection issued in a criminal court or Family Court requiring the respondent to refrain from intentionally injuring or killing any companion animal the respondent knows to be owned, possessed, leased, kept or held by the petitioner or a minor child living in the household. Companion animals/pets are defined as a dog, cat or any other domesticated animal that lives in or near the household, but does not include farm animals.

Additional Resources

- First Strike: The Connection between Animal Cruelty and Human Violence
http://www.hsus.org/hsus_field/first_strike_the_connection_between_animal_cruelty_and_human_violence/
- The Connection between Domestic Violence and Animal Cruelty
<http://www.aspca.org/fight-animal-cruelty/domestic-violence-and-animal-cruelty.html>
- American Humane
<http://americanhumane.org/>
- Factors in the Assessment of Dangerousness in Perpetrators of Animal Cruelty
by Randall Lockwood, Ph.D.
http://www.pet-abuse.com/pages/abuse_connection/risk_assessment.php#ixzz0q87HyYvQ