

Catherine Simpson

From: Sherry Ramsey
Sent: Tuesday, March 31, 2015 6:14 AM
To: Nicoli Bailey
Subject: FW: DV bill

Dear Nicoli,

I have reviewed the bill and the letter of opposition from the ANDVSA. As I noted previously, I have worked on these bills around the country and also worked with DV victims as a prosecutor and then in private practice. I think this bill serves to protect DV victims as well as their animals in emergency situations. That is why so many states have passed these laws around the country and why we usually have DV groups supporting and often spearheading these bills. However, I certainly respect the ANDVSA and the great work they do and I understand they have a unique perspective from working in Alaska with DV victims.

Here are some thoughts on some of these issues raised. Animals are sometimes a disputed point in a divorce proceeding as with every other bit of property, which is the point of the case in their letter. The “confusion” that the ANDVA letter notes would be clarified by this bill and is the precise reason we need the law. In my opinion, the idea that this would allow for an abuser to exert power over a victim is less likely to happen after she is awarded possession of an animal because of this law, rather than before she gets possession when the abuser can use the animal to manipulate or punish the victim for leaving. I have seen this happen many times.

Of course what the letter suggests *could* happen, but it could also happen with the children, the house or anything else that the court awards to the victim, if the abuser wants to cause trouble. But courts are much less likely to entertain this kind of request within a DV hearing as compared to a divorce proceeding. And the more common way for an abuser to exert power over a victim in my experience, is by threatening or torturing the animal to get her to return home or punish her for leaving. Going to court to attempt to get visitation of an animal is *much* less likely to be an issue, in my humble opinion. This argument would suggest that all the other provisions within the DV laws should be removed for fear that they could result as a means to exert power over a victim. I believe that making the law clear on this issue is a better way to ensure every jurisdiction is doing the same thing to protect the victims and their animals and to ensure that judges understand this issue, which would prevent the very concern raised in the ANDVSA letter. And because establishing ownership of an animal is often one of the main problems that victims encounter when attempting to obtain possession of an animal during these dangerous situations, the language of this bill is so important.

Lastly, while I have been reviewing your bill in Alaska, I am also reviewing and supporting a recent bill in California. In CA, this kind of DV law has been in effect since 2007 and now they are introducing a bill to expand this exact protection to all other protection orders for juveniles and elders and other civil protection orders. Without having spoken to the sponsor of this bill I would have to assume this law has worked well for DV victims and so they have decided it should be expanded. Here is their existing law and a synopsis of the new CA bill just as an FYI.

CA law currently:

(b) On a showing of good cause, the court may include in a protective order a grant to the petitioner of the exclusive care, possession, or control of any animal owned, possessed, leased, kept, or held by either the petitioner or the respondent or a minor child residing in the residence or household of either the petitioner or the

respondent. The court may order the respondent to stay away from the animal and forbid the respondent from taking, transferring, encumbering, concealing, molesting, attacking, striking, threatening, harming, or otherwise disposing of the animal.

New bill:

AB 494 will extend protections to animals of protected parties in restraining orders issued in juvenile dependency cases (Welfare & Institutions Code section 213.5(b)), civil harassment cases (Civil Procedure section 527.6(b)(6)), and Elder Abuse cases (Welfare & Institutions Code section 15657.03). This bill will bring all types of restraining orders in alignment with the protections provided pursuant to the Domestic Violence Prevention Act.

Thank you and Representatives Vazquez and Gruenberg for sponsoring this important bill and feel free to contact me if I can be of any further help.

Best,

Sherry

Sherry Ramsey, Esq.

Director of Animal Cruelty Prosecutions

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Catherine Simpson

From: Joan Dewey
Sent: Tuesday, March 31, 2015 10:48 AM
To: Catherine Simpson
Cc: Nicoli Bailey
Subject: Re: HB 147 "Pet Bill"

Catherine and Nicoli: Thank you for including Bethel Friends of Canines and Bethel residents in the update for proposed changes to HB147. Would it be possible for you to convey our support and appreciation of the HB 147 AKA "The Pet Bill" sponsors(Representative Vazquez and Representative Gruenberg and to let them know by reading the following testimony:

We in the YK Delta of Alaska, animal rescue and community health services acknowledge the high disproportionate rate of domestic violence occurrences and the need for added safety and welfare mechanisms within the animal protection laws of Alaska for victims of domestic violence. We are well aware of the relationship between animal abuse and neglect, child abuse and neglect and domestic violence. We recognize that animals as beloved family members are frequently caught in the crossfire and/or used to manipulate, dominate and control domestic violence situations. As community members in Alaska are in support of additional service and rights components added to the animal care laws of Alaska to help assure families can protect all of their family members when forced to leave their homes.

We will do our best in Bethel to work in conjunction with TWC/Tundra Women's Coalition and assist with pet relocation or boarding whenever possible. We applaud these measures in the proposed HB 147 to bring safety and health to families and to reduce the added trauma that comes from having to choose to leave animals in unsafe situations.

*Joan Dewey, Bethel Resident
Bethel Friends of Canines*

cc: Bethel Friends of Canines Board

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RE: House Bill 147

As a Fairbanks psychotherapist specializing in PTSD and traumatic stress since 1991 and as the owner of 5 rescue animals, I am in support of HB 147. I have worked for many years with clients who have experienced trauma including active duty service members, veterans and their families, and survivors of sexual assault, domestic violence, accidents, and traumatic loss.

Over the years, I have witnessed the intense therapeutic bond between humans and pets, military working dogs and other service animals. And, I have helped clients deal with the loss or violent death of animals, and their fears of imminent loss of these important family members. Children who witness animal abuse often carry the scars of that trauma into adulthood and are more likely to continue violent behaviors as adults.

The American Humane Association's study of women seeking temporary "safe haven" shelter showed that 71 percent of those having companion animals reported that their "batterers had injured, maimed, killed, or threatened family pets for revenge or to psychologically control" victims. Many victims make choices to stay in a dangerous situation rather than leave their animals in that same situation.

Clients express concern about the safety and well-being of their pets and their fears of not being able to care for them or to get them away from abusive family members. I've heard stories of adults who remember all too vividly and painfully the death, abandonment or disappearance of treasured animal companions as children. .

Some of my work with trauma clients includes integrating positive, calming, and close memories of animals in ways that increase positive affect and reinforce emotional stability while recalling traumatic memories. In many cases, animals are the most important oasis of safety that people experience.

This bill places value on the "wellbeing of animals". The inclusion of this term changes the game plan from seeing animals as property that can be disposed of to creatures to be cared for. This is crucial because of the links between animal cruelty and other violent crimes. And because, the term implies awareness and compassion which can be developed and enhanced when adults and children are taught to care for and place value on animals.

Sincerely,

Tima C Priess, LMFT, cert in EMDR