

# ALASKA STATE LEGISLATURE

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## Summary of

### “Protecting Domestic Violence Victims by Protecting Their Pets”<sup>1</sup>

#### **Animals have been overlooked victims of family violence**

Growing research over the past 20 years has firmly established a significant link between domestic violence, child abuse and animal abuse. Sherry Ramsey, a co-author of the article, has prosecuted a number of domestic abuse cases that included violence against pets, such as setting them on fire, throwing them off balconies, or beating or killing them in front of children.

#### **Legislatures Respond to the Need to Protect animals**

When Katrina revealed that people will not evacuate without their pets, Congress passed and President George W. Bush signed into law the Pets Evacuation and Transportation Standards Act in 2002. This law requires local and state emergency plans cover pets and service animals in order to qualify for grants from FEMA. It also provides assistance with creating appropriate shelters.

In violent homes throughout the country, domestic violence victims risk their lives staying in dangerous situations in order to protect their beloved pets. Abusers have been known to threaten or harm or kill a pet if a victim does not return to the home or dismiss the temporary restraining order (TRO). Complicating the situation is the fact that animals are considered property in all 50 states. If an abuser refuses to relinquish a pet and the pet is not listed on a TRO, police and even courts are often reluctant to get involved in what is usually considered a marital property dispute. As of 2015, a total of 27 states have enacted laws allowing courts to include pets in protective orders.

Many states have recognized that including animals in TROs is an important component in protecting domestic violence victims. In 2006, Maine was the first state to enacted statutes that specifically allowed judges to include pets in restraining orders. In 2010, thirteen states had enacted these laws and many more were considering them.

The vast majority of domestic violence shelters do not allow pets. As a result, “safe havens for pets” programs<sup>2</sup>, which provide emergency care for pets while their owners stay at a shelter or other temporary housing are extremely important in efforts to keep victims and their pets safe. In some instances, a domestic violence program may enlist the aid of local veterinarians, boarding facilities and foster homes.

#### **Including Pets in Temporary Restraining Orders (TROs)**

Allowing pets to be included in TROs removes one obstacle that may prevent a victim from leaving an abusive situation. Including animals in an initial TRO is often essential to protecting the animal as well as ensuring that the victim can leave without fear of abuse to her animal family member.

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<sup>1</sup> by Sherry Ramsey, Mary Lou Randour, Nancy Blaney and Maya Gupta-- Juvenile and Family Justice Today – Spring 2010

<sup>2</sup> Safe Havens Mapping Project can now be found on line at [awionline.org/safe-havens](http://awionline.org/safe-havens)