

MEMORANDUM OF SUPPORT

PROTECT DOMESTIC VIOLENCE SURVIVORS' PETS

A.767 Rosenthal/S.1251 Serino

The New York State Coalition Against Domestic Violence (NYSCADV) urges the New York State Legislature to **support this legislation, which would give courts discretion to grant domestic violence victims custody of pets shared with or owned by their abusers.** This bill is necessary because domestic violence victims should not have to choose between staying in an abusive household to protect their pets or fleeing from abuse without them.

Under current New York State law, when a domestic violence victim obtains an order of protection against an abuser, a judge can order an abuser to not intentionally injure or kill a pet owned by the victim or a minor child living in the household. This legislation extends this protection to pets living in an abuser's household, regardless of who owns the animal.

More important, the bill gives courts the discretion to grant a domestic violence victim, who has an order of protection, custody of a companion animal owned by the victim, abuser or a child residing in the household, and provides courts the ability to forbid any contact between the abuser and a companion animal belonging to either party or a child residing in the household.

An often cited reason that victims stay with their abuser is because they don't want to leave their pets behind. The Urban Resource Institute states that 48% of victims of domestic violence do not leave their abuser because they fear what would happen to their pet.¹ In some instances, abusers have also been known to harm or use pets in order to psychologically and emotionally abuse domestic violence victims. Additionally, according to the American Humane Association, 71% of pet-owning women entering women's shelters reported that their abuser had injured, maimed, killed or threatened family pets for revenge or to psychologically control them.²

For many people, pets are considered family. Domestic violence victims should not have to choose between their pets and safety. **NYSCADV urges the New York State Legislature to support this legislation** so that both domestic violence victims and their pets can find safety.

ABOUT NYSCADV:

Established in 1978, NYSCADV is designated by the U.S. Department of Health and Human Services as the information clearinghouse, primary point of contact, and resource center on domestic violence for the State of New York. NYSCADV is responsible for supporting the development of policies, protocol, and procedures to enhance domestic violence intervention and prevention and also provides education and technical assistance to the network of primary-purpose domestic violence service providers statewide.

For more information, contact: Joan Gerhardt, Director of Public Policy and Advocacy, 518.482.5465

Revised: December 9, 2019

¹ Urban Resource Institute. 2018. "PALS (PEOPLE AND ANIMALS LIVING SAFELY)." <http://urinyc.org/program/pals/>

² American Humane. 2016. "Understanding the Link Between Animal Abuse and Family Violence."

<https://www.americanhumane.org/fact-sheet/understanding-the-link-between-animal-abuse-and-family-violence/>