

# Including Pets in Orders for Protection

SF 838 / HF 1396

“It wasn’t just the cats and dogs. It was the sheep and the chickens.  
I was terrified for their welfare. I knew if I were to leave,  
he wouldn’t hesitate to kill them. He had done it before.”

- Susan Walsh, 50

- 1. In domestic violence situations, abusing pets is a way to control, intimidate and hurt other members of the family.**
- 2. Women are often afraid to leave abusive situations because of concern for their pets or other animals.**
- 3. Including pets in orders for protection will**
  - ▶ give domestic violence victims a legal mechanism to keep the batterer away from their pets.**
  - ▶ prompt judges to include pets in domestic violence protection orders.**

This bill adds the following language to 518B.01, Subdivisions 6 and 7:

**Order for Protection** (requiring notice and a hearing):

(a) Upon notice and hearing, the court may provide relief as follows:

(14) direct the care, possession, or control of a pet or companion animal owned, possessed, or kept by the petitioner or respondent or a child of the petitioner or respondent, or order the respondent to have no contact with the pet or companion animal.

**Ex Parte Order** (granting relief immediately without a hearing):

(a) Where an application under this section alleges an immediate and present danger of domestic abuse, the court may grant an ex parte order for protection and granting relief as the court deems proper, including an order:

(6) directing the care, possession, or control of a pet or companion animal owned, possessed, or kept by a party or a child of a party, or ordering the abusing party to have no contact with the pet or companion animal.

Similar language has been enacted in 10 states already, and is being considered in 12 others.

## Understanding the Link *Between Human and Animal Violence*

**Abusing pets is a way to control, intimidate and hurt other members of the family. The animals become “pawns in a game of power and control.”**

- Pets were abused in 88% of the homes with confirmed child abuse.<sup>1</sup>
  - A study of women in domestic violence shelters showed that 71% of those who had pets said that their partner had threatened, hurt, or killed their animals.<sup>2</sup>
- ▶ In 2007, a man in Eagan killed his girlfriend’s pet canary. He tore the bird’s head off after he flew into a jealous rage.
- ▶ In the spring of 2008 in St. Paul, Scott Michael Turner, during an argument with his pregnant girlfriend, picked up the 23-week old kitten she had been playing with and threw it against the wall with such force that it had to be euthanized. The kitten, Nilla, had belonged to a neighbor who brought the kitten to visit the young woman because it made the young woman happy.

**75% of the time pets are abused by family members, it is in the presence of women or children.**<sup>3</sup>

- ▶ In September 2008, Donald Dornseif threw his ex-girlfriend’s English bull-dog “Precious” off a third-floor balcony – while his 6-year-old daughter and other children watched. The dog had been a gift from the woman’s new boyfriend.

**One of the most dangerous times for battered women is when they are leaving their abusers. This is a dangerous time for animals as well.**

- 65% of women in a shelter who had pets that had been abused reported that they delayed leaving their own homes – risking their own safety –because of concern for their pet.<sup>4</sup>
- ▶ “It wasn’t just the dogs and cats. It was the sheep and the chickens. I knew that if I were to leave, he wouldn’t hesitate to kill them. He had done it before.”<sup>5</sup>

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<sup>1</sup> Deviney, E., Dickert, J., & Lockwood, R. (1983). The care of pets within child abusing families. *International Journal for the Study of Animal Problems*, 4, 321-329.

<sup>2</sup> Ascione, F.R. (1998). Battered women’s reports of their partners’ and their children’s cruelty to animals. *Journal of Emotional Abuse*, 1 (1), 119-133.

<sup>3</sup> Ascione, F.R., Weber, C.V., & Wood, D.S. (1997). The abuse of animals and domestic violence: A national survey of shelters for women who are battered. *Society & Animals* 5 (3), 205-218.

<sup>4</sup> Carlisle-Frank, P., Frank, J.M., & Nielsen, L. (2004). Selective battering of the family pet. *Anthrozoos*, 17, 26-42.

<sup>5</sup> Susan Walsh, 50, whose testimony before the Maine legislature was instrumental in enacting the first state law that includes animals in domestic violence protective orders.