

January 9, 2017

Bea Hanson
Principal Deputy Director
Office of Violence Against Women
U.S. Department of Justice
145 N Street NW, Suite 10W.121
Washington, DC 20530

Re: Recommendation to Include Pet-related Metrics in the Proposed Safe Housing Needs Assessment

Dear Ms. Hanson:

On behalf of the American Society for the Prevention of Cruelty to Animals (ASPCA) and its 2.5 million supporters, I thank you for the opportunity to comment on the Domestic Violence and Housing Technical Assistance Consortium Safe Housing Needs Assessment (“Assessment”).¹ As America’s first humane organization, the ASPCA advocates at the federal, state, and community levels for pets and pet owners, homeless animals, and victims of animal cruelty.

The ASPCA commends the U.S. Department of Justice for recognizing the importance of providing safe housing to victims of domestic violence and for assessing the barriers to safe housing. The connection between domestic violence and animal cruelty—often referred to simply as “the Link”—is strong.² Many “batterers create a climate of terror that encompasses both human and nonhuman victims”³ and use pets to “perpetuate fear,” “demonstrate power and control,” and isolate both victims and children.⁴ Abusers often use violence or threats of violence toward pets to prevent their victims from leaving or in order to

¹ Agency Information Collection Activities; Proposed eCollection eComments Requested; New Collection: Domestic Violence and Housing Technical Assistance Consortium Safe Housing Needs Assessment, 81 Fed. Reg. 78,635 (Nov. 8, 2016), available at <https://www.gpo.gov/fdsys/pkg/FR-2016-11-08/pdf/2016-26920.pdf>.

² *What is the Link?*, National Link Coalition, <http://nationallinkcoalition.org/what-is-the-link>, (last accessed Jan. 9, 2017); *Facts about the Link Between Violence to People and Violence to Animals*, American Humane Association, available at <https://www.animalhumanesociety.org/webfm/574> (last accessed Jan. 9, 2017).

³ Clifton P. Flynn, *Woman’s Best Friend: Pet Abuse and the Role of Companion Animals in the Lives of Battered Women*, 6 *Violence Against Women* 162, 171 (2000), available at <http://journals.sagepub.com/doi/pdf/10.1177/10778010022181778>.

⁴ Alicia Borns, Domestic Violence and Animal Abuse: Strategies and Options for Survivors and Their Pets, New York State Office for the Prevention of Domestic Violence, available at <https://www.nysba.org/WorkArea/DownloadAsset.aspx?id=59414> (last accessed Jan. 9, 2017).

coerce victims to return to the abusive situation.⁵ A recent study found that many domestic violence victims want to be asked about their pets at intake and request safe housing options for their pets.⁶

There is increasing awareness of the importance of providing safe harbors for pets—who are often victims of domestic violence themselves. To date, thirty-two states, Washington DC, and Puerto Rico have enacted laws aimed at protecting the pets of domestic violence victims.⁷ At the federal level, the Pet and Women Safety (PAWS) Act⁸ gained considerable momentum in the 114th Congress, garnering over 230 bipartisan sponsors in the House and Senate. The PAWS Act would provide grants for housing options for pets of domestic violence victims and encourage states to extend protective orders to pets of domestic violence victims.⁹

The proposed Assessment represents an unprecedented opportunity to assess the degree to which housing/homelessness providers and domestic violence/sexual assault service providers and their coalitions offer resources for pets and determine the need for service provider training when dealing with the unique needs of domestic violence victims who have pets.

We applaud DOJ for including several pet-related questions in the Assessment.¹⁰ While this is an important step toward recognizing the needs of pets and victims with pets, we strongly urge the addition of further inquiries about pets and pet policies, as well as about training and integrative services that provide safe housing for pets. We also urge DOJ to include questions aimed at better understanding the extent to which survivors with pets are able to obtain assistance. Finally, we encourage DOJ to include among the group of stakeholders designing the Assessment an animal welfare organization, such as the ASPCA, which is familiar with the needs of animals and the signs of animal cruelty.

A. Concern over pet safety is often a barrier to victims' seeking assistance.

As previously noted, perpetrators of domestic violence often threaten harm or bring actual harm to their victims' pets in order to control their victims or keep them from leaving. Concern over the safety of their pets often delays domestic violence victims from seeking help, (including safe housing), causes them to return to their abuser, or prevents them from seeking assistance entirely. Often victims of domestic violence have to choose between leaving their pets behind or a life of homelessness with their pets. Fear of harm to a pet is a major reason many victims of domestic violence choose to stay in abusive relationships.

⁵ *Id.*

⁶ *Id.*; Michelle Newberry, *Pets in Danger: Exploring the Link Between Domestic Violence and Animal Abuse, Aggression and Violent Behavior* (Nov. 10, 2016), available at <http://www.sciencedirect.com/science/article/pii/S1359178916302002> (subscription required).

⁷ Rebecca F. Wisch, *Domestic Violence and Pets: List of States that Include Pets in Protection Orders*, **Michigan State Univ. College of Law Animal Legal & Historical Ctr.**, <https://www.animallaw.info/article/domestic-violence-and-pets-list-states-include-pets-protection-orders> (last accessed Jan. 9, 2017).

⁸ H.R. 1258 114th Cong. (2016).

⁹ H.R. 1258 114th Cong. (2016).

¹⁰ See Domestic Violence and Housing Technical Assistance Consortium Safe Housing Needs Assessment, at 27 (question Q2), 97 (question Q1), and 135 (question Q1).

A staggering percentage of domestic violence victims report returning to an abusive partner out of concern for their pets' safety.¹¹ A survey of twelve studies on domestic violence and pets found that between 18 and 48-percent of domestic violence victims either delayed leaving an abusive situation or returned to the abuser "out of fear" for the welfare of their pets.¹² Victims have routinely reported delaying seeking shelter for as long as two months out of concern for pets.¹³ One victim reported living in her car for four months until pet-friendly safe housing became available.¹⁴ A recent study found that more than a quarter of domestic violence victims stay in abusive relationships for a median time of two years to avoid leaving their pets behind.¹⁵ Researchers recommend that "[t]his obstacle to seeking safety . . . be addressed by domestic violence agencies."¹⁶

B. Pets provide a "significant source" of emotional support to domestic violence victims.¹⁷

The bond between human and animal survivors of domestic violence is strong. A number of domestic violence survivors have noted that their pets gave them the will to leave their abusers and seek help.¹⁸ Domestic violence survivors described their pets as sources of comfort, "protection and strength" who gave survivors unconditional love, nonjudgmental companionship, and a sense of security.¹⁹ Researchers have found that "[w]omen, and in some cases children, may literally have risked their lives in an effort to protect their pets" noting that such "sacrifice signifies how invaluable companion animals can be in the lives of battered women, and how crucial it is for professionals to recognize that fact."²⁰

C. Domestic violence survivors express anguish over leaving their pets behind.

¹¹ Sen. Bob Dole & ASPCA Pres. and CEO Matt Bershadker, *Pets Play a Critical Role in the Safety of Domestic Violence Victims*, ASPCA (Oct. 31, 2016), available at <http://www.asPCA.org/blog/pets-play-critical-role-safety-domestic-violence-victims>.

¹² Alicia Borns, Domestic Violence and Animal Abuse, *supra* note 4.

¹³ Clifton P. Flynn, *Woman's Best Friend*, *supra* note 3, at 173.

¹⁴ Lori R. Kogan, et. al., *Crosstrails: A Unique Foster Program to Provide Safety for Pets of Women in Safehouses*, 10 *Violence Against Women* 418, 431–32, available at <http://journals.sagepub.com/doi/pdf/10.1177/1077801204263198> ("I was referred to Crossroads about 4 months ago, but there were no openings. There were other shelters in the area, but they didn't have a foster care program for animals there. I lived in my car with the dogs. I tried Crossroads 4 months later, and they had an opening.").

¹⁵ Michael Roguski, *Pets as Pawns: The Co-existence of Animal Cruelty and Family Violence*, (2012), available at <http://nationallinkcoalition.org/wp-content/uploads/2013/01/DV-PetsAsPawnsNZ.pdf>.

¹⁶ Frank R. Ascione, et al., *Battered Pets and Domestic Violence: Animal Abuse Reported by Women Experiencing Intimate Violence and by Nonabused Women* 13 *Violence Against Women* 354, 354 (2007), available at <http://journals.sagepub.com/doi/pdf/10.1177/1077801207299201>.

¹⁷ Clifton P. Flynn, *Woman's Best Friend*, *supra* note 3, at 170.

¹⁸ Jennifer L Hardesty, et. al., Coercive Control and Abused Women's Decisions About Their Pets When Seeking Shelter, 28 *Journal of Interpersonal Violence* 2617, 2626 (2013), available at <http://journals.sagepub.com/doi/pdf/10.1177/0886260513487994> (one domestic abuse survivor recounted how she "stayed alive over a fish," who kept her going when she "had nothing else").

¹⁹ *Id.*

²⁰ Clifton P. Flynn, *Woman's Best Friend*, *supra* note 3, at 173.

Survivors who left their pets behind expressed continued grief at having to leave their animals in the hands of their abusers.²¹ Researchers found that those “who left at least one pet with their abuser reported persistent worrying.”²² Often abusers retaliate by killing pets, turning them loose, or giving them away without permission as punishment for the victim seeking shelter.²³ In one instance, a domestic violence victim made the difficult decision to leave her dog behind because the shelter did not accept pets. Days later, her abuser delivered an audio recording of him torturing her dog. The victim “left the shelter and never returned.”²⁴ In another study, a shelter volunteer spoke about a domestic violence survivor who had sought refuge at the shelter on three separate occasions during the study period, but ultimately returned to the abusive situation out of “concern for her pet.”²⁵

D. There are resources available for domestic violence victims with pets.

A number of states and localities now have co-sheltering facilities where pets may stay with their owners or which provide temporary safe shelter for animals while their humans seek shelter elsewhere. An estimated 900 domestic violence shelters offer external “safe haven” foster care for their residents’ pets, and at least 86 shelters are pet-friendly and allow pets to reside on-site with their families.²⁶ These programs are crucial to the human and nonhuman survivors of domestic violence. Safe haven organizations—including animal shelters, veterinary practices, boarding facilities, and others—collaborate with domestic violence service providers to ensure that pets may be removed from the abusive situation and safely housed.²⁷ The Urban Resources Institute’s People and Animals Living Safely (URIPALS) program is a model example of one such collaboration taking place in New York City.²⁸ The ASPCA’s Cruelty Intervention unit works with the Urban Resources Institute to administer the URIPALS program, combining the expertise of both organizations to preserve the welfare of the entire family, including pets. URIPALS utilizes a pet advocate in addition to a family social worker to ensure that the needs of the pet are taken into consideration. The URIPALS coordinator provides additional support to ensure the pet is included in all housing applications, as well as safety and financial planning.

It is crucial that “cross-training and cross referrals” take place between domestic violence professionals and animal welfare organizations.²⁹ The Assessment provides an excellent opportunity to gain information about the existence and location of programs similar to URIPALS throughout the United

²¹ Jennifer L Hardesty, et. al., *Coercive Control and Abused Women’s Decisions About Their Pets When Seeking Shelter*, *supra* note 19, at 2627.

²² *Id.*

²³ *Id.*

²⁴ Phil Arkow, *Expanding Domestic Violence Protective Orders to Include Companion Animals*, 8 **ABA Committee on Domestic Violence e Newsletter** (2007), available at http://www.americanbar.org/content/dam/aba/publishing/cdv_enewsletter/arkow.authcheckdam.pdf.

²⁵ Clifton P. Flynn, *Woman’s Best Friend*, *supra* note 3, at 172.

²⁶ Phil Arkow, *Form of Emotional Blackmail: Animal Abuse as a Risk Factor for Domestic Violence*, 19 **Domestic Violence Report** 49–60 (2014), available at http://www.civicrosearchinstitute.com/online/article_abstract.php?pid=18&iid=912&aid=5968 (subscription required).

²⁷ *Id.*; *Pets and Domestic Violence*, **National Network to End Domestic Violence** (Nov. 23, 2016), available at <http://nnedv.org/news/5035-pets-and-domestic-violence.html>.

²⁸ URI People and Animals Living Safely (URIPALS), **Urban Resources Institute**, <http://uriny.org/domestic-violence/pals/> (last accessed Jan. 9, 2017).

²⁹ Clifton P. Flynn, *Woman’s Best Friend*, *supra* note 3, at 175–76.

States, and to learn whether such programs are being effectively utilized. The Assessment can also help to ascertain the extent to which domestic violence and housing/homelessness professionals need training regarding the unique needs of, and barriers facing, domestic violence victims with pets.

The ASPCA has several recommendations to strengthen the Assessment as it pertains to victims with pets, provided in redline in Appendix A. Further, the ASPCA asks that DOJ, the Domestic Violence and Housing Technical Assistance Consortium, and the National Alliance for Safe Housing add one or more animal welfare organizations, such as the ASPCA, to the group of stakeholders with whom they consult.

We thank you for designing this important tool and for considering our recommendations.

Sincerely,

A handwritten signature in blue ink that reads "Deborah Dubow Press". The signature is fluid and cursive, with the first name "Deborah" being the most prominent.

Deborah Dubow Press
Director, Regulatory Affairs