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ANIMAL ABUSE AND DOMESTIC VIOLENCE: PROTECTION UNDER THE ILLINOIS DOMESTIC VIOLENCE ACT

Research has shown a very strong connection between domestic violence, child abuse and animal abuse. Abusers use threats and/or violence against animals as another tactic of power and control. An abuser may:

- threaten to harm a pet to coerce compliance from the victim and/or children;
- hurt or kill a pet as retaliation for the victim's resistance to the abuser's control, or
- hurt or kill the animal to demonstrate their ability and willingness to kill the victim and/or the victim's children.

This newsletter discusses the connection between domestic violence and animal abuse, the dynamics of animal abuse within a domestic violence situation, protection for animals available through Orders of Protection, and a program to assist victims with pets who are trying to flee their abusers.

DYNAMICS

Research indicates that up to 75% of domestic violence victims report that their partners threatened to harm their pets. Women seeking safety at domestic violence shelters are nearly 11 times more likely to report that their partner has hurt or killed pets, than women who have not experienced domestic violence.

One study reported that children *watched* the abuse of the family pet in 75% of domestic violence cases where animal abuse was also present.

Witnessing domestic violence or animal abuse has been shown to have negative affects on children. The combination of witnessing both greatly increases the risk to children.

Abusers who harm animals are more dangerous and violent than abusers who don't harm animals.¹

PROTECTION FOR ANIMALS UNDER THE ILLINOIS DOMESTIC VIOLENCE ACT

The Illinois Domestic Violence Act (IDVA) now includes protections for animals as part of an order of protection. The court may:

- Grant the petitioner the exclusive care, custody, 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;
- Order the respondent to stay away from the animal; and/or
- Forbid the respondent from taking, transferring, encumbering, concealing, harming or otherwise disposing of the animal. 750 ILCS 60/214 (b)(11.5)



The Violation of Order of Protection (VOOP) statute does not specially list this remedy as one for which an arrest can be made but the statute does allow for an arrest for VOOP in any case where the violation also constitutes a criminal offense. 720 ILCS 5/12-30 (a)(1)(i) For example, the Cruel Treatment statute allows for prosecution of any person who beats, cruelly treats, torments, starves, overworks or otherwise abuses any animal. 510 ILCS 70/3.01 If the respondent violates the Cruel Treatment statute and the animal involved was protected by an Order of Protection, the respondent can also be charged with VOOP.

Threatening or harming a pet, whether or not protected by the Order of Protection may be harassment under the IDVA as well. The IDVA defines harassment as knowing conduct which:

- is not necessary to accomplish a purpose that is reasonable under the circumstances;
- would cause a reasonable person emotional distress; and
- does cause emotional distress to the petitioner. 750 ILCS 60/103 (7)

Threatening or abusing a family pet could very well be defined as harassment under the Act.

FOSTER PROGRAMS FOR VICTIMS OF DOMESTIC VIOLENCE

Many victims delay leaving their abusers because they have no where to go where their pets are also welcome. To assist in emergencies, including domestic violence, The Anti-Cruelty Society has developed a program called "Short-Term Accommodations for Emergencies" (SAFE). If accepted into the program, the Society will house animals on site or in foster care for up to 30 days. All services are free.

While in the Society's care, the pet will receive an examination by an Anti-Cruelty veterinarian and if needed, provide required vaccinations, micro chipping, and spay/neuter surgeries. All animals are exercised daily.

All applicants must complete a SAFE application and have a referral from a partnering agency, such as a domestic violence organization, The Red Cross, a hospital or social service program. Strict confidentiality is maintained to protect victims. For more information, call 312-644-8338.

Further information can be obtained by calling the Domestic Violence Program at 312-745-6340 or The City of Chicago Domestic Violence Help Line at 1-877-863-6338 or 1-877-863-6339 (TTY) or if you or someone you know needs immediate assistance, call 911.

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¹ References to all research reports used in this newsletter can be found at the website of The Humane Society of the United States at www.hsus.org.

domestic violence

CHICAGO POLICE DEPARTMENT