



NATIONAL LINK COALITION

*Working together to stop violence
against people and animals*

State Statutes in Which Acts of Animal Abuse Constitute Acts of Domestic Violence or Elder Abuse

As of: March 2017

ANIMAL ABUSE AS DOMESTIC VIOLENCE

Alaska

AS 18.66.990(3). Definitions

(3) "Domestic violence" and "crime involving domestic violence" mean one or more of the following offenses or an offense under a law or ordinance of another jurisdiction having elements similar to these offenses, or an attempt to commit the offense, by a household member against another household member:

- (I) cruelty to animals under AS 11.61.140(a)(5) if the animal is a pet;

Arizona

Domestic violence; definition; classification; sentencing option; arrest and procedure for violation; weapon seizure

Ariz. Rev. Stat. § 13-3601.

A. "Domestic violence" means any act that is a dangerous crime against children as defined in [the following sections]: § 13-2910. Cruelty to animals; interference with working or service animal; classification; definitions

A. A person commits cruelty to animals if the person does any of the following:

- 8. Intentionally or knowingly subjects any animal under the person's custody or control to cruel neglect or abandonment that results in serious physical injury to the animal.
- 9. Intentionally or knowingly subjects any animal to cruel mistreatment.

Colorado

Offenses Involving the Family Relations, Domestic Violence

Colo. Rev. Stat. Ann. § 18-6-800.3(1).

(1) “Domestic violence” means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. “Domestic violence” also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

Indiana

Crime involving domestic of family violence,

Ind. Code Ann. § 31-9-2-29.5.

Sec. 29.5. “Crime involving domestic or family violence” means a crime that occurs when a family or household member commits, attempts to commit, or conspires to commit any of the following against another family or household member: ... (14) A crime involving animal cruelty and a family or household member under IC 35-46-3-12(b)(2) or IC 35-46-3-12.5.

Domestic violence animal cruelty,

Ind. Code Ann. § 35-46-3-12.5.

Sec. 12.5. A person who knowingly or intentionally kills a vertebrate animal with the intent to threaten, intimidate, coerce, harass, or terrorize a family or household member commits domestic violence animal cruelty, a Class D felony.

Maine

Stalking

Maine Revised Statutes § Title 17-A: Maine Criminal Code, Part 2: Substantive Offenses;

Chap. 9: Offenses Against the Person

Sec. 201-A. Stalking. A person is guilty of stalking if the actor intentionally or knowingly engages in a course of conduct directed at or concerning a specific person that would cause a reasonable person: ... (5) To fear injury to or the death of an animal owned by or in the possession and control of that specific person. Violation of this paragraph is a Class D crime.

Nebraska

Domestic Intimate Partner Abuse

Nebraska Revised Statutes § 43-2922

42-3922. Terms, defined . For purposes of the Parenting Act:

(8) Domestic intimate partner abuse means an act of abuse as defined in section 42-903 and a pattern or history of abuse evidenced by one or more of the following acts: Physical or sexual assault, threats of physical assault or sexual assault, stalking, harassment, mental cruelty, emotional abuse, intimidation, isolation, economic abuse, or coercion against any current or past intimate partner, or an abuser using a child to establish or maintain power and control over any current or past intimate partner, and, when they contribute to the coercion or intimidation of an intimate partner, acts of child abuse or neglect or threats of such acts, cruel mistreatment or cruel neglect of an animal as defined in section 28-1008, or threats of such acts, and other acts of abuse, assault, or harassment, or threats of such acts against other family or household members.

Nevada

Acts which constitute domestic violence,

Nev. Rev. Stat. Ann. § 33.018(1)(e)(7).

1. Domestic violence occurs when a person commits one of the following acts against or upon the person's spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person is or was actually residing, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child:...(e) A knowing, purposeful or reckless course of conduct intended to harass the other person. Such conduct may include, but is not limited to:...(7) Injuring or killing an animal.

New Hampshire

Protection of persons from domestic violence

RSA 173-B:1

I. "Abuse" means the commission or attempted commission of one or more of the acts described in subparagraphs (a) through (h) by a family or household member or by a current or former sexual or intimate partner, where such conduct is determined to constitute a credible present threat to the petitioner's safety. The court may consider evidence of such acts, regardless of their proximity in time to the filing of the petition, which, in combination with recent conduct, reflects an ongoing pattern of behavior which

reasonably causes or has caused the petitioner to fear for his or her safety or well-being:
(h) Cruelty to animals as defined in RSA 644:8.

Tennessee

Domestic Abuse,

Tenn. Code Ann. § 36-3-601(1) (West 2013).

(1) “Abuse” means inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means, placing an adult or minor in fear of physical harm, physical restraint, malicious damage to the personal property of the abused party, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by an adult or minor, or placing an adult or minor in fear of physical harm to any animal owned, possessed, leased, kept, or held by the adult or minor.

RELATED STATUTES

Arkansas

A.C.A. §9-15-403, the Spousal Abuse Safety Plan Act of 2007, includes the “harming the pet of a spouse” within Arkansas’ definition of “emotional abuse.” “Spousal abuse” is defined as an act of physical, sexual or emotional abuse against a spouse. It is not clear whether “spousal abuse” is defined as an act of domestic violence. Separate laws in the state (A.C.A. § 5-26-303 through 309) define conditions and penalties for domestic battering and assault, but emotional abuse is not included within those definitions.

Florida

F. S. A. § 741.30: allows petitioners to file injunctions for protection against domestic violence when the respondent has “intentionally injured or killed a family pet.” The court may also consider this as a factor when determining whether there is reasonable cause to believe the petitioner is in imminent danger of becoming a victim of domestic violence.

Minnesota

M. S. A. § 343.21: Overworking or mistreating animals; penalty

Minnesota’s general cruelty statutes allow courts to impose double penalties for felony animal torture or cruelty where the violation results in death or great bodily harm to a pet or companion animal, and the act is done to threaten, intimidate, or terrorize another person.

Navajo Nation

Subchapter 24 in the Criminal Code (the Violence Against Family Act) defines “family violence” as including numerous offenses including stalking. The nine offenses which define stalking include “Making threats to harm the victim, the victim’s children, relatives, friends, pets or livestock.” Stalking victims can obtain a Family Violence Court Order to protect themselves.

ANIMAL ABUSE AS ELDER ABUSE

Colorado

Courts and Court Procedure, Art. 14: Civil Protection Orders

C.R.S. 13-14-101.

13-14-101. Definitions. For purposes of this article, unless the context otherwise requires:

(1) "Abuse of the elderly or of an at-**risk adult**" means mistreatment of a person who is sixty years of age or older or who is an at-**risk adult** as defined in [section 26-3.1-101 \(1\)](#), C.R.S., including but not limited to repeated acts that:

(f) Constitute threats or acts of violence against, or the taking, transferring, concealing, harming, or disposing of, an animal owned, possessed, leased, kept, or held by the elderly or at-**risk adult**, which threats or acts are intended to coerce, control, punish, intimidate, or exact revenge upon the elderly or at-**risk adult**.