



Virginia Bench Guide for Addressing the Link between Animal Abuse and Human Abuse

“When animals are abused, people are at risk; when people are abused, animals are at risk.”
--Phil Arkow, International expert on the link between animal cruelty and other crimes

THE LINK. Animal abuse is linked to domestic violence, child abuse, and elder abuse; human abuse may exist where animal abuse exists and vice versa. A study found that 70% of those who committed violent crimes against animals also had records for other crimes and were five times more likely to commit violent crimes against people.¹ Animal cruelty can precede, follow, or co-occur with human violence.²

ANIMAL ABUSE & INTIMATE PARTNER VIOLENCE. Multiple studies indicate that animal abuse is more prevalent in homes that experience intimate partner violence.³ Batterers use victims’ bond with animals to intimidate or control the victim. In one national study 85% of domestic violence shelter directors encountered women who disclosed animal abuse.⁴

ANIMALS USED TO CONTROL VICTIMS. Abusers may threaten to harm or kill a pet if the victim does not return home or if the victim files charges or seeks a protective order. One study found that 59% of abused women delayed leaving the home out of fear of leaving their pets behind.⁵ Abusers who also harm animals are more dangerous and use more hands-on violence; 80% of their victims fear they will be killed and often wait longer before contacting police.⁶

ANIMAL ABUSE & CHILD ABUSE. One study found that 88% of homes with physically abused children also had abuse or neglect of family pets.⁷ Another study found that 67% of children residing in family violence shelters witnessed abuse of a family pet, which can traumatize a child.⁸ Children may also be harmed when they intercede to protect the animal from the abuser.

JUVENILE ANIMAL CRUELTY AS A WARNING SIGN. Cruelty to animals is one of the earliest symptoms of conduct disorder appearing, on average, at the child’s age of 6-1/2 years.⁹ Studies have shown that children who are cruel to animals are more than twice as likely to have suffered abuse themselves.¹⁰

ANIMAL ABUSE AND ELDER ABUSE. Seniors and adults with disabilities, and their pets or service animals, are vulnerable to abuse or neglect from caregivers who manipulate their bond with the animals to exert power and control or to exploit them financially. Thirty-five percent of Adult Protective Services caseworkers reported that their clients said pets were threatened, injured, killed, or denied care. Seventy-five percent noted that clients’ concern for pets’ welfare affected decisions about interventions or services. Ninety-two percent saw animal neglect co-existing with clients’ inability to care for themselves.¹¹

- 1 Arluke, A. et al. (1999). “The relationship of animal abuse to violence and other forms of anti-social behavior.” *Journal of Interpersonal Violence*, 14, 963.
- 2 Hoffer, T., et al. (2018) The relationship between family violence and animal cruelty. *Violence in Animal Cruelty Offenders*. Springer Briefs in Psychology/ Behavioral Criminology.
- 3 Ascione, F.R. (2007) “Emerging research on animal abuse as a risk factor for intimate partner violence. In K. Kendall-Tackett & S. Giacomoni (Eds.), *Intimate Partner Violence* (pp. 3.1-3.17). Kingston, NJ: Civil Research Institute.
- 4 Ascione, F.R. et al. (1997). “The abuse of animals and domestic violence: A national survey of shelters for women who are battered.” *Society & Animals*, 5(3), 205-218.
- 5 Alberta Society for the Prevention of Cruelty to Animals (2012). *The Cruelty Connection: The Relationship Between Animal Cruelty, Child Abuse & Domestic Violence*.
- 6 Campbell, A. M., et al. (2018) Intimate partner violence and pet abuse: Responding law enforcement officers’ observations and victim reports from the scene. *Journal of Interpersonal Violence*, 36(5/6), 2353-2372.
- 7 DeViney, E. et al. (1983). “The care of pets within child abusing families.” *International Journal for the Study of Animal Problems*, 4, 321-329.
- 8 Ascione, F.R. et al. (2007). “Battered pets and domestic violence: Animal abuse reported by women experiencing intimate violence and by nonabused women.” *Violence Against Women*, 13(4), 354-373.
- 9 Frick, P. J., et al. (1993). Oppositional Defiant Disorder and Conduct Disorder: A meta-analytic review of factor analyses and cross-validation in a clinical sample. *Clinical Psychology Review*, 13, 319-340.
- 10 McEwen, F. et al. (2014). “Is childhood cruelty to animals a marker for physical treatment in a prospective cohort study of children?” *Child Abuse and Neglect*, 38, 3, 533.
- 11 Humane Society of the U.S. and State of Wisconsin Dept. of Health & Family Services, Div. of Disability & Elder Services. (2003). *Creating Safer Communities for Older Adults and Companion Animals*.

FACTORS FOR JUDGES TO CONSIDER WHEN FACED WITH POTENTIAL ANIMAL ABUSE

VIRGINIA CODES

1. Know the Virginia Code Sections relevant to animal abuse.

Definition of an animal owner. Virginia Code § 3.2-6500 defines an animal owner as a person who has a right of property in the animal; keeps or harbors the animal; has the animal in his or her care; or acts as a custodian of the animal.

Definition of companion animal. Virginia Code § 3.2-6500 provides a very broad definition of companion animal.

Protective orders. Including animal safety in a protective order is a way to protect victims, children, and animals. When issuing a protective order, judges may grant the petitioner possession of any companion animal (Virginia Code §§ 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-152.9, and 19.2-152.10).

Penalty for animal cruelty. Animal cruelty can be either a misdemeanor or felony. Section 3.2-6570(A) is a class 1 misdemeanor carrying up to 12 months in jail. Sections 3.2-6570(B) (second offense within five years) and 3.2-6570(F) (death or serious bodily injury of a dog or cat that is a companion animal) are class 6 felonies carrying between one and five years imprisonment.

2. Become familiar with the common signs of animal neglect which may include:

- Failure to provide regular veterinary care or treat wounds or injuries.
- Failure to provide adequate food, water or shelter from the elements.
- Extreme overcrowding with too many animals.
- Infestation with fleas, ticks, or other insects.
- Lack of grooming, extreme matting of fur, overgrown nails or dirty coat.
- Unsanitary environment including buildup of animal excrement.

3. Become familiar with resources for pets in homes experiencing domestic violence:

- VA Office of the Attorney General, Animal Law Unit; <https://www.oag.state.va.us/>
- SafePlaceForPets.org, DomesticShelters.org and SafeHavenForPets.org maintain lists of pet foster care programs for domestic violence victims.
- SAFTprogram.org maintains lists of domestic violence shelters that also accept pets.

4. Questions to consider asking in any family law case:

- Are there any pets, companion animals or farm animals present at the home?
- In any proceeding - custody, child dependency, protective orders, and juvenile matters - are there bonds between family members and pets and do you have any concerns about pets?
- Has anyone in the family ever threatened, harmed, or killed an animal?
- Have there been any suspicious or concerning incidents that may suggest animal abuse?

5. Screening cases.

If a case involves animal cruelty, judges should screen for possible abuse to others in the home, and if a case involves domestic violence, or child or elder abuse, judges should screen for possible animal cruelty.

6. Pet-responsive measures in child abuse/neglect cases:

- In making decisions about the child's living arrangements and appropriate services judges should take into account a child's attachment to a pet and whether that pet's welfare is an issue.
- Living arrangements could include the child being placed with a foster family who also cares for the pet, or the pet being placed in a separate "pet foster care" or with someone the child knows.
- Judges can order services and treatment to address the trauma to the child from witnessing animal abuse.

7. Additional Resources

- *Animal Cruelty Issues - What Juvenile & Family Court Judges Need to Know* (NCJFCJ.org).
- National Link Coalition. (nationallinkcoalition.org).
- Virginia Animal Control Association. (vacaonline.net).