



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, Stalking or Elder Abuse

As of: August 2024

COERCIVE 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.

Arkansas

Family Law - Domestic Relations – Domestic Abuse: Spousal Abuse Safety Planning Act ACA § 9-15-403. Definitions

- (1) “Emotional abuse” means any of the following acts:
 - (G) Harming the pet of a spouse;
- (4) (B) “Spousal abuse” includes any of the following committed by a spouse against his or her spouse:
 - (i) Emotional abuse;

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.

Delaware

§ 1041, Title 10 of the Delaware Code: Courts and Judicial Procedure Protection from Abuse Proceedings: Definitions

- (1) “Abuse” means conduct which constitutes any of the following:
 - c. Intentionally or recklessly damaging, destroying, or taking the tangible property of another person, including inflicting physical injury on any companion animal or service animal.
 - i.1. Any of the following acts when used as a method of coercion, control, punishment, or intimidation of a person who has a close bond of affection to the companion animal as defined in paragraph (1)i.2. of this section:
 - A. Inflicting or attempting to inflict physical injury on the companion animal.
 - B. Engaging in conduct which is likely to cause the person to fear that the companion animal will be physically injured.
 - C. Engaging in cruelty to the companion animal under § 1325 of Title 11.
 - i.2. “Companion animal” means an animal kept primarily for companionship instead of as any of the following:
 - A. A working animal.
 - B. A service animal as defined in § 4502 of Title 6.
 - C. An animal kept primarily as a source of income, including livestock as defined in § 7700 of Title 3.

Indiana

Crime involving domestic or family violence,

Ind. Code Ann. § 31-9-2-42 and § 34-6-2-34.5 (2007; amended 2019)

"Domestic or family violence" means, except for an act of self-defense, the occurrence of one (1) or more of the following acts committed by a family or household member:

(1) Attempting to cause, threatening to cause, or causing physical harm to another family or household member without legal justification.

(2) Placing a family or household member in fear of physical harm without legal justification.

(3) Causing a family or household member to involuntarily engage in sexual activity by force, threat of force, or duress.

(4) Abusing (as described in IC 35-46-3-0.5(2)), IC 35-46-3-0.5), torturing (as described in IC 35-46-3-0.5(5)), IC 35-46-3-0.5), mutilating (as described in IC 35-46-3-0.5(3)), IC 35-46-3-0.5), or killing a vertebrate animal without justification with the intent to threaten, intimidate, coerce, harass, or terrorize a family or household member

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.

Kentucky

KRS § 403.720

(2). "Domestic violence and abuse" means:

(b) Any conduct prohibited by KRS 525.125, 525.130, 525.135, or 525.137, or the infliction of fear of such imminent conduct, taken against a domestic animal when used as a method of coercion, control, punishment, intimidation, or revenge directed against a family member or member of an unmarried couple who has a close bond of affection to the domestic animal.

KRS § 456.010:

(2) "Dating violence and abuse" means:

(b) Any conduct prohibited by KRS 525.125, 525.130, 525.135, or 525.137, or the infliction of fear of such imminent conduct, taken against a domestic animal when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the perpetrator is or has been in a dating relationship, when that person has a close bond of affection to the domestic animal.

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.

Massachusetts

Mass. Gen. Laws Chapter 209A, Section 1. Definitions.

“Abuse”, the occurrence of any of the following acts between family or household members:

- (a) attempting to cause or causing physical harm;
- (b) placing another in fear of imminent serious physical harm;
- (c) causing another to engage involuntarily in sexual relations by force, threat or duress;
- (d) coercive control.

“Coercive control”, either:

- (a) a pattern of behavior intended to threaten, intimidate, harass, isolate, control, coerce or compel compliance of a family or household member that causes that family or household member to reasonably fear physical harm or have a reduced sense of physical safety or autonomy, including, but not limited to:
 - (vi) threatening to commit cruelty or abuse to an animal connected to the family or household member;

Mississippi

Miss. Code. Ann. 97-3-107. Stalking; Aggravated stalking; Penalties; Definitions

Stalking is defined as a purposeful course of conduct directed at a specific person, or who makes a credible threat, that would cause a reasonable person to fear for his or her safety, the safety of another person, or the destruction of his or her property. While pets are not specifically named, they are considered property.

Missouri

V.A.M.S. 565.225 (2.1): Stalking, first degree, penalty

Missouri’s definition of stalking in the first degree includes making a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock kept at such person's residence or on such person's property;

Nebraska

Domestic Intimate Partner Abuse

Nebraska Revised Statutes § 43-2922

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.~~

[The struck-through language was deleted in 2023 by the passage of HB 944, which became Public Chapter No. 277. It is not clear whether legislators thought these provisions were unnecessary because animals are already covered under “personal property.”]

Texas

Texas Penal Code §42.072: Stalking

Stalking definitions include if a person, on more than one occasion and pursuant to the same scheme or course of conduct directed specifically at another person, knowingly engages in conduct that he or she knows or should reasonably know the other person will regard as threatening, including an offense against the other person’s property. “Property” includes a pet, companion animal or assistance animal.

Texas Penal Code §25.07: Violation of Certain Court Orders or Conditions of Bond

A person commits an offense if, in violation of a condition of bond or protection order set in a family violence, sexual assault or abuse, indecent assault, stalking, or trafficking case and related to the safety of a victim or the safety of the community, the person knowingly or intentionally harms, threatens, or interferes with the care, custody, or control of a pet, companion animal, or assistance animal that is possessed by a person protected by the order or condition of bond.

Utah

Utah Code 77-36-1. Definitions

(4) Domestic violence" or "domestic violence offense" means any criminal offense involving violence or physical harm or threat of violence or physical harm, or any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical harm, when committed by one cohabitant against another. "Domestic violence" or "domestic violence offense" also means commission or attempt to commit, any of the following offenses one cohabitant against another:

- (b) aggravated cruelty to an animal, as described in Subsection [76-9-301\(4\)](#), with the intent to harass or threaten the other cohabitant;

Utah Code 76-5-106.5. Stalking – Definitions

(1)(b)(ii). “Emotional distress” includes significant mental or psychological suffering resulting from harm to an animal.

Washington

RCW 7.105.010. Definitions

(37)(a) "Coercive control" means a pattern of behavior that is used to cause another to suffer physical, emotional, or psychological harm, and in purpose or effect unreasonably interferes with a person's free will and personal liberty. In determining whether the interference is unreasonable, the court shall consider the context and impact of the pattern of behavior from the perspective of a similarly situated person. Examples of coercive control include, but are not limited to, engaging in any of the following:

(E) Communicating, directly or indirectly, the intent to:

(I) Harm the other party's children, family members, friends, or pets, including by use of physical forms of violence.

District of Columbia

District of Columbia Official Code §16-1001

(8)(B) "Intrafamilial offense" means an offense punishable as cruelty to animals against an animal that an intimate partner, family member, or household member owns, possesses, or controls.

RELATED STATUTES

Connecticut

C.G.S Sec. 46b-38a. Family violence prevention and response: Definitions

Para. (3) "Family violence crime" means a crime which, in addition to its other elements, contains as an element thereof an act of family violence to a family or household member. In Para. (1), "Family violence" means an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault, including, but not limited to, stalking or a pattern of threatening, between family or household members. Animal cruelty is a felony crime in Sec. 53-247.

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.

Michigan

M.P.C. § 750.50b(2)(d): A provision added in 2019 makes it illegal to knowingly kill, torture, maim, disfigure, or poison an animal, or threaten to do so, "with the intent to cause mental suffering or

distress to a person or to exert control over a person.” Violation is a felony punishable by up to 10 years in prison, a \$5,000 fine, and 500 hours of community service.

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.

Oregon

O.R.S. §163.275: Coercion

This statute defines the crime of coercion, a Class C felony, as including eight activities in which a person compels or induces another person to engage in conduct, or refrain from a legitimate conduct, by instilling a fear. One such fear is the unlawful causing of physical injury to an animal.

OTHER COUNTRIES

United Kingdom

The Domestic Abuse Act 2021 added “controlling or coercive behavior” to the definition of “abusive” behavior within the definition of domestic abuse. The supplementary Statutory Guidance to the Domestic Abuse Act, issued to assist agencies in enforcing the Act with standards and best practices, notes that the definition of “controlling or coercive behavior” includes “using animals to control or coerce a victim, e.g. harming or threatening to harm, or give away, pets or assistance dogs.”

Australia

New South Wales in 2023 made harming or threatening animals a form of intimidation under family violence legislation.

Victoria in 2023 was considering a proposal that would change the Family Violence Protection Act 2008 to include an animal cruelty offense.

PENDING LEGISLATION

Florida

HB 121 (2022) would define the 3rd-degree felony crime of aggravated animal cruelty to include causing great bodily harm, permanent disability or death to an animal while perpetrating sexual battery, domestic violence or aggravated stalking.

Illinois

Illinois HB 3294 (2023-2024) would expand the definition of domestic violence abuse to include the infliction of fear of imminent conduct related to the cruel treatment of an animal, aggravated cruelty of an animal, animal torture, or sexual conduct or sexual contact with an animal, taken against a domestic animal when used as a method of coercion, control, punishment, intimidation, or revenge directed against a family member or member of an unmarried couple who has a close bond of affection to the domestic animal.

Kentucky

HB 319 (2022) would include violence against an animal used as coercive conduct within the definitions of “domestic violence and abuse” and “dating violence and abuse” and would allow judges to award possession of a domestic animal to the petitioner in a protection-from-abuse procedure.

Missouri

HB 370 (2019) would add “intimidation,” defined as “injuring, killing, or threatening to injure or kill an animal if such act is done to coerce, control, punish, or as an act of revenge against a household member,” to the conditions which would allow courts to issue orders of protection. **The bill died in the House Judiciary Committee.**

New Jersey

S 1789 (2022) would expand the definition of domestic violence to include acts of cruelty against animals owned or possessed by the persons affected by this type of abuse; it would also include similar provisions for elder abuse, child abuse, and abuse of the developmentally disabled.

New Mexico

HB 52 (2019) would have added to the NMSA Section 40-13-2 statutory definitions of domestic violence “an incident by a household member consisting of or resulting in the act of or threat of: intentionally or maliciously torturing, mutilating, injuring or poisoning a companion animal; or maliciously killing a companion animal.” **The bill passed the House but died in the Senate.**

SB 18 (2023) would replace the term “domestic abuse” with “abuse.” The new definition of abuse would include “harm or threatened harm to an animal to intimidate, threaten or harass a person.” **The bill died.**

SB 12 (2024) would replace the definition of “domestic abuse” with a more encompassing term of “abuse” that would include incidents or patterns of behavior by a household member against another household member consisting of, or resulting in, harm or threatened harm to an animal.

New York

New York A1353 (2022) would make it a crime to unjustifiably injure or kill a companion animal to threaten, intimidate or harass another family member. The penalty would be increased if the act occurs in the presence of a child.

A 8901 (2024) would add the harming, interference, harassment or intimidation of a service animal belonging to a current or former family member to the definition of a “domestic violence crime.”

Rhode Island

H 7236 (2024) would add “unnecessary cruelty”, “malicious injury to or killing of animals,” and “abandonment of animals” to the statutory definition of domestic violence. In situations where both animal abuse and domestic violence occur, the penalties for violation would include those described in both the domestic violence and animal cruelty statutes.

Texas

HB 2516 (2019) would add cruelty to non-livestock animals with the intent to coerce, control, punish or intimidate another family member to the definition of “family violence.” **The bill died in the House.**

Utah

Utah HB 175 (2022) would modify the definition of “emotional distress” related to the offense of stalking to include suffering resulting from harming an animal.

Virginia

HB 713 (2022) would define “coercive control” in issuing family abuse protective orders as a pattern of behavior that unreasonably interferes with a person’s free will and personal liberty, including committing or threatening to commit cruelty to animals that intimidates the other party.

COERCIVE 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**.

PENDING LEGISLATION

Maryland

HB 33, which would have taken the progressive step of including “the destruction of or harm to an animal” belonging to a vulnerable adult to the definition of elder abuse became law on May 8, 2020 but the key provision about animal abuse was deleted. The new law merely makes it illegal to intentionally and maliciously inflict severe emotional distress on a vulnerable adult without defining the term.

New Jersey

A 4880 and S 3168 (2020-2021) would expand the definition of elder abuse to include acts of cruelty against animals owned or possessed by the persons affected by this type of abuse; it would also include similar provisions for domestic violence, child abuse, and abuse of the developmentally disabled.