

Memorandum Urging Approval

COMMITTEE ON ANIMALS AND THE LAW

Animals and the Law #5 - GOV

September 4, 2015

S. 5372

By: Senator Carlucci

A. 6626

By: M. of A. Rosenthal

Senate Committee: Social Services

Assembly Committee: Social Services

Effective Date: Immediately

AN ACT to amend the Social Services Law, in relation to authorizing service animals or therapy dogs to accompany victims of domestic violence at residential programs.

SECTION AND LAW REFERRED TO: Social Services Law Section 459-b

THE COMMITTEE ON ANIMALS AND THE LAW SUPPORTS THIS LEGISLATION AND URGES ITS APPROVAL

A.6626 / S.5372 would amend the Social Services Law to allow domestic violence victims to bring their service animals or therapy dogs with them to domestic violence residential programs.

All too often, acts of domestic violence occur contemporaneously with acts of animal cruelty. The National Coalition Against Domestic Violence and the American Humane Association reported that approximately 71 percent of pet-owning women entering women's shelters stated that their batterer had injured, maimed, killed or threatened family pets for revenge or as a method of exerting psychological control. Unfortunately, leaving an abusive relationship comes with obstacles, especially when animals are involved. Between 25% and 40% of battered women are unable to escape abusive situations because they worry about what will happen to their pets or livestock should they leave.

While this bill doesn't afford protection to all animals in the household, it will at least make it possible for a domestic violence victim to enter a shelter along with the therapy dog or service animal who has been assisting them in their daily life.

Opinions expressed are those of the Section/Committee preparing this memorandum and do not represent those of the New York State Bar Association unless and until they have been adopted by its House of Delegates or Executive Committee.

This bill protects both the human and animal victims of domestic violence by making it easier for them to leave an abusive situation and obtain protection together in a residential domestic violence program. It enables victims to leave a domestic violence situation without the uncertainty of what will happen to their service animal or therapy dog, thus allowing them to escape further abuse. Furthermore, it allows the animals to escape a potentially deadly situation if left behind with the abuser. The benefits are obvious.

It is worth noting that section two of the provisions states that the Office of Children and Families is authorized to promulgate rules and regulations in order to implement this act. Clarity and guidance from OCFS will be necessary to ensure that domestic violence residences have adequate accommodations for both victims and their animals.

The instant legislation is necessary for the safety of victims of domestic violence and their animals. It is essential to New York's ongoing battle against domestic violence and animal cruelty.

Based on the foregoing, the New York State Bar Association Committee on Animals and the Law **SUPPORTS this legislation and urges its approval by the Governor.**

Chair of the Committee: Natalie A. Carraway, Esq.