

ORDINANCE NO. _____, SERIES 2021

AN ORDINANCE ADDING A NEW SECTION TO THE LOUISVILLE METRO CODE OF ORDINANCES CHAPTER 91 TO ADDRESS THE CONNECTION BETWEEN ANIMAL ABUSE AND INTERPERSONAL VIOLENCE (AS AMENDED).

SPONSORED BY: COUNCILMEMBERS PAULA MCCRANEY AND MARILYN PARKER

WHEREAS, in homes where intentional animal abuse has occurred, evidence demonstrates there is an increased probability that some other type of interpersonal violence is also happening;

WHEREAS, animal welfare, law enforcement, domestic violence and child welfare agencies across the United States are working together more and more in recognition of "the Link", the indisputable tie between animal abuse and crimes against people, particularly within the family;

WHEREAS, research supports "the Link" between acts of cruelty to animals and violence toward humans including child abuse, domestic violence, elder abuse, and other abusive behavior;

WHEREAS, in a 2017 study of animal abuse court cases, 82% of the defendants had committed other crimes. The list in order of frequency: intimate partner abuse, assault, child or elder abuse, drugs, weapons, gambling, and gang-related crimes;¹

WHEREAS, a landmark 1997 study by the Massachusetts Society for the Prevention of Cruelty to Animals and Northeastern University found that animal abusers are five times as likely to also harm other humans;²

¹ Lockwood, R. (November 16, 2017). What prosecutors need for successful prosecution of animal cruelty: results of a survey. Lecture, 7th Annual Prosecuting Animal Cruelty Conference, Portland, OR.

² "Cruelty to animals and other crimes: a study by the MSPCA and Northeastern University," Carter Luke; Jack Levin; Arnold Arluke; Northeastern University Boston, Mass.

WHEREAS, in the 1997 study, out of 53 families who met the legal criteria for child abuse and neglect, 60% of these families abused or neglected companion animals. In 88% of the families where there was physical abuse of the children, there was animal abuse;

WHEREAS, a study of women seeking shelter at a safe house showed that 71% of those having pets affirmed that their partner had threatened, hurt or killed their companion animals;³

WHEREAS, in a groundbreaking 2018 study, the FBI Behavioral Science Unit found that in 59.9% of the animal cruelty cases, the offenders engaged in interpersonal violence before, during and after the animal cruelty. Specifically, animal abuse preceded interpersonal violence in 21.2% of the cases and followed interpersonal violence in 76.3% of the cases. Offenders had higher rates of child abuse arrests if they had children, lived with children or committed acts of animal abuse when children were present. 55% of the offenders were arrested following the initial animal cruelty offense. Those arrests included interpersonal violence, sex offenses against adults, sex offenses against children, other offenses against children, animal cruelty, arson and weapon violations. Other people were present in 69% of the incidents, specifically 83.7% were adults and 16.8% were children. Of the 495 animal victims, 67% were killed;⁴

³ Ascione FR. Battered women's reports of their partners' and their children's cruelty to animals. In: Lockwood R, Ascione FR, editors. Cruelty to animals and interpersonal violence. Purdue University Press, West Lafayette, 1998:290-304.

⁴ T. Hoffer, et al., Violence in Animal Cruelty Offenders (2018).

WHEREAS, women in domestic violence shelters are 11 times more likely to report that their partner hurt or killed a pet, as compared with women who have not suffered domestic abuse;⁵

WHEREAS, 89% of women who had companion animals during an abusive relationship reported their animals were threatened, harmed, or killed by their abuser;⁶

WHEREAS, in a Canadian study, 56% of pet-owning women seeking refuge in women's shelters reported that their abuser had threatened or had harmed their pet. Of those women with children and pets, 65% believed the children were aware of the abuse, and impacted by it;⁷

WHEREAS, as of 2018, 13 states mandate or permit child protection and social work officials to report suspected animal abuse; Kentucky mandates reporting by anyone with reasonable cause to believe a child is dependent, neglected or abused (KRS 620.030). Kentucky also mandates reporting by anyone with reasonable cause to suspect that an adult has suffered abuse, neglect, or exploitation. (KRS 209.030);

WHEREAS, abuse of a companion animal is one of the four most significant risk factors for someone becoming a domestic abuser and is an indicator of the use of controlling and violent behaviors;⁸

⁵ Frank Ascione et al., Battered Pets and Domestic Violence: Animal Abuse Reported by Women Experiencing Intimate Violence and by Nonabused Women, 13 *VIOLENCE AGAINST WOMEN*, 354 (2007).

⁶ Betty Jo Barrett et al., Animal Maltreatment as a Risk Marker of More Frequent and Severe Forms of Intimate Partner Violence, 26-1 *JOURNAL OF INTERPERSONAL VIOLENCE*, 1 (2017).

⁷ "The Links Between Animal Abuse and Family Violence," by Sue C. McIntosh, M.A., CCC Private Practitioner, Equine Facilitated Counselling.

⁸ (Benita J. Walton-Moss et al., Risk Factors for Interpersonal Violence and Associated Injury among Urban Women, 30-5 *JOURNAL OF COMMUNITY HEALTH*, 377 (2005) (Other factors include low education levels, mental health issues, and substance abuse)); (Catherine A. Simmons & Peter Lehmann, Exploring the Link Between Pet Abuse and Controlling Behaviors in Violent Relationships, 22-9 *JOURNAL OF INTERPERSONAL VIOLENCE*, 1211 (2007) (Study showed positive correlation between abuse of a pet and violent and controlling behavior Violent behaviors reported included physical and sexual violence, and stalking. Reported controlling behaviors included intimidation, blaming, threats, isolation, and emotional and economic abuse.)

WHEREAS, threats or actual abuse of a companion animal may be used to control another human, especially women and children, forcing them to remain in an abusive situation out of concern for the safety of their animal;

WHEREAS, in homes with domestic violence, 50% of children reported that the abuser threatened to harm or kill a beloved animal in order to maintain control over their human victims;⁹

WHEREAS, up to 56% of battered women have delayed their escape out of fear for their animals;¹⁰

WHEREAS, children often intervene to protect their animals from violence. This willingness to insert themselves in a potentially dangerous situation demonstrates the important role companion animals play in children's lives—particularly children raised in abusive households who may crave companionship and comfort;¹¹

WHEREAS, neglect is often overlooked or included in other forms of abuse despite studies showing that animal neglect statistics mirror those of child neglect. The majority of cases of animal abuse are neglect cases.¹² Likewise, 60.8% of all reported child abuse is also neglect;¹³

WHEREAS, other forms of animal abuse also have been shown to have profound impact on children. A study of 44,202 adult males evaluated for sexual misconduct found

⁹ Shelby Elaine McDonald et al. Children's Experiences of Companion Animal Maltreatment in Households Characterized by Intimate Partner Violence, *CHILD ABUSE AND NEGLECT*, 1 (2015).

¹⁰ Betty Jo Barrett et al., Animal Maltreatment as a Risk Marker of More Frequent and Severe Forms of Intimate Partner Violence, 26-1 *JOURNAL OF INTERPERSONAL VIOLENCE*, 1 (2017).

¹¹ *Id.*

¹² Hannelie Vermeulen & Johannes Odendaal, Proposed Typology of Companion Animal Abuse, 6 *Anthrozoos* 248, 248-257 (2015).

¹³ Child Maltreatment 2018, U.S. Department of Health and Human Services (2018).

that bestiality is the single largest risk factor and strongest predictor of increased risk for committing child sexual abuse;¹⁴

WHEREAS, in a 2016 study of bestiality arrest reports across the U.S., 42.6% involved child sexual assault or exploitation and 66% originated as investigations into child pornography or sex crimes against a child;¹⁵

WHEREAS, in a survey of adult protective service workers, more than 35% of the social workers said their clients had told them their caretakers had threatened, injured, killed or denied care to their pets. More than 45% reported that they had seen evidence of intentional abuse or neglect of animals when conducting home visits;¹⁶

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: Louisville Metro Code of Ordinances (“LMCO”) Chapter 91 is hereby amended as follows:

ANIMAL ABUSE AND FAMILY VIOLENCE

Purpose. Louisville Metro Government recognizes the significant research on the correlation between animal abuse and interpersonal violence. Abusers in both domestic violence and child abuse situations use threats of violence against family pets as a method by which to maintain control over their victims. In response, Louisville Metro Government enacts this Section to require training, reporting, risk assessment, and enhance criminal penalties to ensure the safety of vulnerable citizens.

¹⁴ Abel G. What can 44,000 men and 12,000 boys with sexual behavior problems teach us about preventing sexual abuse? Paper presented at the Annual Training Conference of the California Coalition on Sexual Offending, San Francisco, CA. 2008.

¹⁵ M. Jenny Edwards, Bestiality and Child Sexual Offending: What Arrests Tell Us, Academia (2016).

¹⁶ Janet Hoy-Gerlach & Scott Wehman, Human-Animal Interaction: A Social Work Guide, 16 (2017).

§ 91.XXX DEFINITIONS

ANIMAL ABUSE. For the purposes of this Section only, animal abuse is defined as intentional physical or sexual abuse of an animal, neglect of an animal, or animal fighting.

INTERPERSONAL VIOLENCE. For the purposes of this Section only, interpersonal violence is defined as threats or acts of domestic violence, child abuse, elder abuse, or any form of child/adult neglect or intimate partner violence.

THE LINK. For the purposes of this Section only, is defined as the multiple correlations between animal abuse and crimes against people, particularly interpersonal violence such as child abuse, domestic violence, elder abuse, and sexual assault.

§ 91.XXX TRAINING REQUIREMENTS

(A)(1) All currently serving Louisville Metro Police Officers are to receive a Kentucky Law Enforcement Council certified four to eight-hour training course regarding the connection between animal abuse and crimes against people with an emphasis on interpersonal violence. Such training shall include current information regarding the connection between animal abuse as a predictor crime with a statistically significant correlation to active and/or future instances of interpersonal violence. This training shall include information and education on the reporting and investigative requirements of this Chapter, as well as state law, and the resources available to pet owners to care for their pets while safe housing is obtained.

(2) The Louisville Metro Police Department Training Unit shall conduct the four to eight-hour Kentucky Law Enforcement Council certified training referenced in LMCO § 91.XXX(A)(1) in every Basic Training course.

(3) After receiving either training pursuant to LMCO § 91.XXX(A)(1) OR (2), all Louisville Metro Police Officers shall receive additional training concerning the Link, which shall be incorporated into all state mandated, bi-annual training of interpersonal violence and sex crimes under KRS 15.334 conducted by the Louisville Metro Police Department (LMPD).

(B) All Louisville Metro Animal Services Officers shall receive training regarding the connection between animal abuse and crimes against people with an emphasis on interpersonal violence. Such training shall include current information regarding the connection between animal abuse as a predictor crime with a statistically significant correlation to active and/or future instances of interpersonal violence. This training shall include information on the reporting and investigative requirements of this Chapter, as well as state law, and the resources available to pet owners to care for their pets while safe housing is obtained. Such training shall be conducted annually.

(C) LMPD and MAS shall have one year after passage of this Ordinance to implement the training course(s) required by this Section.

§ 91.XXX REPORTING REQUIREMENTS

(A) Officers responding to or investigating allegations of animal abuse shall conduct an initial investigation to determine whether there is a reasonable suspicion of interpersonal violence and, if found, report such violence in accordance with KRS 620.030 and 209.030. In addition, LMPD or Louisville Metro Animal Services (MAS) shall notify Child Protective Services (CPS) and/or Adult Protective Services (APS) with the findings of their initial investigation. MAS and LMPD shall collaborate in this process when

applicable. The investigation and notification of CPS and/or APS shall take place within 48 hours of the initial complaint

(B) In the case of Louisville Metro Animal Services Officers, if a determination cannot be made regarding the potential for interpersonal violence, such Officers shall notify the Louisville Metro Police Department of the need for further investigation. LMPD shall then have the responsibility for conducting the initial investigation.

(C) The LMPD or MAS initial investigation report shall at a minimum, provide to CPS and/or APS information regarding the suspected animal abuse in question, indications of any interpersonal violence, and information concerning possible victims of interpersonal violence relevant to the suspected animal abuse in question.

(D)(1) LMPD, the Jefferson County Attorney's Office, and MAS shall collaborate in the creation of a Risk Assessment for the purposes of this Section. Such Risk Assessment shall be created for utilization within three months of the passage of this Section. Whenever animal abuse as defined in this Section is confirmed or suspected by MAS or LMPD, a LMPD Officer shall complete the Risk Assessment within 48 hours of the initial complaint.

(2) The Risk Assessment shall be used as part of an evaluation to determine the potential risk the suspected violator poses to any other person or persons living in the household. The Risk Assessment shall be included with the completed official police report and/or citation and included with any report made to CPS and/or APS. MAS Officers responding to suspected animal abuse shall notify LMPD of the need for a Risk Assessment, cooperate in its creation, and confirm that one is completed or scheduled to be completed within 48 hours of the initial complaint.

§ 91.XXX SHELTER FOR PETS IN INSTANCES OF DOMESTIC VIOLENCE OR CHILD ABUSE

(A) In instances of suspected interpersonal violence MAS shall provide, free of charge, shelter and sustenance to pets of families or households during the interim in which the victim(s) of such suspected violence find safe housing or, upon request of the victim, facilitate adoption of the pet or pets. Any pets turned into MAS under this Chapter shall be released only to the party who originally sought the aid in question or via court order or via adoption when applicable. MAS may set forth procedures to collaborate with and utilize already existing programs serving the same or similar purpose as that set forth herein.

(B) MAS shall limit the time period for such care to 90 days, unless good cause is shown by the party utilizing MAS services. After 90 days, the animal in question shall become available for adoption. MAS shall create procedures and regulations to facilitate communication with individuals utilizing the services provided under this Section. Those community based programs already providing the same or similar services as those set forth in this Section shall not be bound by the requirements of this Section.

(C) In instances of suspected interpersonal violence in which there is pet ownership within the family or household, a responding officer of any department shall be required to inform the victim(s) of Louisville Metro Government's provision for free animal care set forth in this Section.

(D) LMPD and/or MAS shall offer to transport the animal of a victim of interpersonal violence to the Center for Women and Families, or any other provider of animal care under the provisions of this Section, or to any other place of safety available to the victim within Jefferson County, Kentucky.

(E) MAS, Jefferson County Attorney's Office, and LMPD shall collaborate to create an information brochure which is to be readily available and offered to those who may have an interest in utilizing the provisions of this Section. This information brochure shall contain information on all government and community-based resources available to potential victims of interpersonal violence, including resources available for pet care while safe housing is located. It shall be the responsibility of MAS and LMPD to routinely update such information.

(F) The Jefferson County Attorney's Office shall ensure that anyone applying for an emergency or interpersonal violence protective order is informed of all available resources for pet owners/caretakers.

§91.XXX ANIMAL ABUSE IN THE IMMEDIATE PRESENCE OF A MINOR

(A) No person shall knowingly commit animal abuse in the immediate presence of a minor child who is under 16 years of age. For purposes of this paragraph, a minor child is in the immediate presence of animal abuse if the abuse is seen or directly perceived in any other manner by the minor child.

(B) In the event that a person is prosecuted for animal abuse pursuant to the provisions of this Chapter and the abuse or cruelty was committed in the immediate presence of a child, that person shall be guilty of a Class A misdemeanor with a fine up to \$500 and a sentence of imprisonment not to exceed twelve (12) months.

SECTION II: Unless otherwise specified, ¶this Ordinance shall take effect upon its passage and approval.

Sonya Harward
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____

O-401-21 V.2 The Link Between Animal Abuse and Interpersonal Violence v.2 NJ RH 9-20-21