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## SENATE COMMITTEE ON PUBLIC SAFETY

Senator Nancy Skinner, Chair

2017 - 2018 Regular

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**Bill No:** SB 1005                      **Hearing Date:** April 3, 2018  
**Author:** Atkins  
**Version:** February 6, 2018  
**Urgency:** No                                      **Fiscal:** Yes  
**Consultant:** EC

**Subject:** *Crime Victim Compensation: Relocation Expenses: Pet Costs*

### HISTORY

**Source:** American Society for the Prevention of Cruelty to Animals  
California Partnership to End Domestic Violence

**Prior Legislation:** AB 1824 (Chang), vetoed, 2016  
AB 1140 (Bonta), Chapter 569, Statutes of 2015

**Support:** Best Friends Animal Society; Next Door Solutions; RedRover; San Diego Humane Society; San Francisco Society for the Prevention of Cruelty to Animals (SPCA)

**Opposition:** None known

### PURPOSE

*The purpose of this bill is to expand “expenses incurred in relocating” to include the pet deposit and additional rent for which a victim may receive compensation from the California Victim Compensation Board (CalVCB).*

*Existing law* requires CalVCB to provide compensations to victims and derivative victims of specified types of crimes from the Restitution Fund, a continuously appropriated fund, for specified losses suffered as a result of those crimes. (Gov. Code § 13957, subd. (a).)

*Existing law* authorizes CalVCB to grant cash payment or reimbursement, when the board determines it will best aid the person with medical or medical-related expenses that became necessary as a direct result of the crime, subject to the following conditions: including licensed medical provider services, mental health counseling, and sexual assault services. (Gov. Code § 13957, subd. (a)(1)(2).):

*Existing law* authorizes cash payment or reimbursement not to exceed \$2,000 to a victim for expenses incurred in relocating, if the expenses are determined by law enforcement to be necessary for the personal safety of the victim or by a mental health treatment provider to be necessary for the emotional well-being of the victim. (Gov. Code § 13957, subd. (a)(7)(A).)

*This bill* expands “expenses incurred in relocating” to include pet deposit and additional rent required if the victim has a pet.

*Existing law* states that if a security deposit is required for relocation, CalVCB shall be named as the recipient and receive the funds upon expiration of the victim’s rental agreement. (Gov. Code § 13957, subd. (a)(7)(F).)

*This bill* includes pet deposit in the funds required for relocation, and upon expiration of a victim’s rental agreement, CalVCB shall be named the recipient of the funds.

## COMMENTS

### 1. Need for the Bill

The author states:

Approximately 40% of California women experience physical intimate partner violence in their lifetimes. CalVCB provides compensation for victims of violent crime who are injured or threatened with injury, including those in domestic violence situations. If a person meets eligibility criteria, CalVCB will compensate many types of services when the costs are not covered by other sources. This may include costs associated with finding alternative housing if the expenses are determined by law enforcement to be necessary for the personal safety of the victim or if they are determined by a mental health treatment provider to be necessary for the emotional well-being of the victim. In addition, the law explicitly allows for payment of a security deposit.

Concern over the safety of pets can often delay domestic violence victims from seeking help, cause them to return to their abuser, or prevent them from seeking assistance entirely. A 2011 study of refuges for women who have experienced abuse found that more than a quarter of domestic violence victims stay in abusive relationships for a median time of two years in order to avoid leaving their pets behind. Perpetrators of domestic violence often threaten harm or bring actual harm to their victims’ pets in order to control their victims or keep them from leaving. In addition, pets can play a vital role in restoring a victim’s emotional well-being post-abuse.

SB 1005 would clarify existing law to specify that pet deposits and pet rent are eligible relocation costs. There is a \$2,000 cap per household on relocation costs through CalVCB. This bill would not increase this amount, just clarify eligible uses.

SB 1005 will help victims of domestic violence leave their abusive environment by reducing the financial costs associated with escaping domestic violence with their pet, who is often an important source of comfort and support.

## 2. Domestic Violence and Animal Abuse

Studies confirm a significant association between engaging in animal abuse and perpetration of frequent and severe forms of intimate partner violence. When domestic abuse survivors own pets, abusers may use threats or acts of violence to further control the survivor. In a study conducted with domestic violence shelter residents, 19% of individuals witnessed their abusers threatening their pet, 17% reported their abuser harmed their animal, and 4% witnessed their abusers kill their pet.<sup>1</sup> Concern for family pet welfare may be an obstacle to survivor's seeking safety. Some survivors may stay in abusive environments rather than surrender their animals and subject them to further maltreatment. Across various surveys, between 18% and 48% of survivors delay leaving a dangerous situation out of concern for their pet's safety.<sup>2</sup>

CalVCB helps pay bills and expenses that result from violent crime. The board aids a number of individuals who have been victims of crimes such as assault, child abuse, domestic violence, homicide, hate crimes, robbery, and more.<sup>3</sup> CalVCB may help pay for expenses related to a crime including medical and dental treatment, mental health services, income loss, home or vehicle modifications, relocation, and more. The board limits relocation payment or reimbursement to \$2,000 per household.<sup>4</sup> If CalVCB pay for the security and/or pet deposit for relocation, upon expiration of the victim's rental agreement, existing law states that those funds will be returned to the board (Gov. Code § 13957, subd. (a)(7)(F).) CalVCB informed this committee that pet deposits are already covered in expenses incurred during relocation; this bill would codify this in state statute.

## 3. Current Bills

AB 1939 (Steinorth) and AB 1865 (Lackey) are two bills concerning animal abuse that are currently passing through the legislature. AB 1939 is similar to SB 1005 (Atkins) as it also expands eligible uses of victim's compensation to include recourses for pets. As stated previously, CalVCB provides compensation to victims and derivative victims for specified types of crimes from the Restitution Fund, for specified losses suffered as a result of those crimes. Assemblymember Steinorth's bill expands "expenses used for relocation" to include the costs of temporary housing for pets of the victim upon immediate relocation. Furthermore, Assemblymember Lackey's AB 1865 bill addresses injury and death inflicted on a guide, signal, or services dogs, and deleted the requirement that dogs must be discharged of their duties at the time of the injury or death, to constitute a crime (Pen. Code § 600.2, subd. (a).) AB 1865 authorizes CalVCB to pay compensation for expenses incurred by the person with a disability as a direct result of the criminal violation.

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<sup>1</sup> "Escaping Domestic Violence as a Pet Owner," Urban Resource Institute (UNRIPALS People and Animals Living Safely, n.d.), <http://big.assets.huffingtonpost.com/uripals.pdf>.

<sup>2</sup> "Facts and Myths About Domestic Violence and Animal Abuse," accessed March 16, 2018, <https://awionline.org/content/facts-and-myths-about-domestic-violence-and-animal-abuse>.

<sup>3</sup> "California Victim Compensation Program," accessed March 16, 2018, <http://vcgcb.ca.gov/victims/>.

<sup>4</sup> "CalVCB FAQ: Expenses — CalVCB," accessed March 16, 2018, <https://victims.ca.gov/victims/faq/expenses.aspx>.

#### 4. Argument in Support

According to Next Door Solutions to Domestic Violence:

Perpetrators of domestic violence often threaten harm or bring actual harm to their victims' pets in order to control their victims or keep them from leaving...In order to escape abuse, while protecting their pets, survivors of domestic abuse must necessarily identify alternative housing, but may lack the financial resources to relocate to the appropriate accommodations...In many cases, landlords that are willing to accommodate pets often charge a "pet deposit" and/or surplus rent as a condition of allowing pets. This additional cost may serve as a significant barrier to a victim's relocation. By clarifying existing law to specify that "pet deposits" and "pet rent" are eligible relocation costs, these victims would have a source of financial support to remove themselves from a violent situation.

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