

115TH CONGRESS
1ST SESSION

S. 322

To protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7 (legislative day, FEBRUARY 6), 2017

Mr. PETERS (for himself and Mr. HELLER) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pet and Women Safety
5 Act of 2017”.

1 **SEC. 2. PET INVOLVEMENT IN CRIMES RELATED TO DO-**
 2 **MESTIC VIOLENCE AND STALKING.**

3 (a) INTERSTATE STALKING.—Section 2261A of title
 4 18, United States Code, is amended—

5 (1) in paragraph (1)(A)—

6 (A) in clause (ii), by striking “or” at the
 7 end; and

8 (B) by inserting after clause (iii) the fol-
 9 lowing:

10 “(iv) the pet of that person; or”; and

11 (2) in paragraph (2)(A)—

12 (A) by inserting after “to a person” the
 13 following: “or a pet”; and

14 (B) by striking “or (iii)” and inserting
 15 “(iii), or (iv)”.

16 (b) INTERSTATE VIOLATION OF PROTECTION
 17 ORDER.—Section 2262 of title 18, United States Code,
 18 is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (1), by inserting after
 21 “another person” the following: “or the pet of
 22 that person”; and

23 (B) in paragraph (2), by inserting after
 24 “proximity to, another person” the following
 25 “or the pet of that person”; and

1 (2) in subsection (b)(5), by inserting after “in
2 any other case,” the following: “including any case
3 in which the offense is committed against a pet,”.

4 (c) RESTITUTION TO INCLUDE VETERINARY SERV-
5 ICES.—Section 2264 of title 18, United States Code, is
6 amended in subsection (b)(3)—

7 (1) by redesignating subparagraph (F) as sub-
8 paragraph (G);

9 (2) in subparagraph (E), by striking “and” at
10 the end; and

11 (3) by inserting after subparagraph (E) the fol-
12 lowing:

13 “(F) veterinary services relating to phys-
14 ical care for the victim’s pet; and”.

15 (d) PET DEFINED.—Section 2266 of title 18, United
16 States Code, is amended by inserting after paragraph (10)
17 the following:

18 “(11) PET.—The term ‘pet’ means a domes-
19 ticated animal, such as a dog, cat, bird, rodent, fish,
20 turtle, horse, or other animal that is kept for pleas-
21 ure rather than for commercial purposes.”.

1 **SEC. 3. EMERGENCY AND TRANSITIONAL PET SHELTER**
2 **AND HOUSING ASSISTANCE GRANT PRO-**
3 **GRAM.**

4 (a) IN GENERAL.—The Secretary of Agriculture
5 (hereinafter in this section referred to as the “Secretary”),
6 acting in consultation with the Office of the Violence
7 Against Women of the Department of Justice, the Sec-
8 retary of Housing and Urban Development, and the Sec-
9 retary of Health and Human Services, shall award grants
10 under this section to eligible entities to carry out programs
11 to provide the assistance described in subsection (c) with
12 respect to victims of domestic violence, dating violence,
13 sexual assault, or stalking and the pets of such victims.

14 (b) APPLICATION.—

15 (1) IN GENERAL.—An eligible entity seeking a
16 grant under this section shall submit an application
17 to the Secretary at such time, in such manner, and
18 containing such information as the Secretary may
19 reasonably require, including—

20 (A) a description of the activities for which
21 a grant under this section is sought;

22 (B) such assurances as the Secretary de-
23 termines to be necessary to ensure compliance
24 by the entity with the requirements of this sec-
25 tion; and

1 (C) a certification that the entity, before
2 engaging with any individual domestic violence
3 victim, will disclose to the victim any mandatory
4 duty of the entity to report instances of abuse
5 and neglect (including instances of abuse and
6 neglect of pets).

7 (2) ADDITIONAL REQUIREMENTS.—In addition
8 to the requirements of paragraph (1), each applica-
9 tion submitted by an eligible entity under that para-
10 graph shall—

11 (A) not include proposals for any activities
12 that may compromise the safety of a domestic
13 violence victim, including—

14 (i) background checks of domestic vio-
15 lence victims; or

16 (ii) clinical evaluations to determine
17 the eligibility of such a victim for support
18 services;

19 (B) not include proposals that would re-
20 quire mandatory services for victims or that a
21 victim obtain a protective order in order to re-
22 ceive proposed services; and

23 (C) reflect the eligible entity's under-
24 standing of the dynamics of domestic violence,
25 dating violence, sexual assault, or stalking.

1 (3) RULES OF CONSTRUCTION.—Nothing in
2 this subsection shall be construed to require—

3 (A) domestic violence victims to participate
4 in the criminal justice system in order to re-
5 ceive services; or

6 (B) eligible entities receiving a grant under
7 this section to breach client confidentiality.

8 (c) USE OF FUNDS.—Grants awarded under this sec-
9 tion may only be used for programs that provide—

10 (1) emergency and transitional shelter and
11 housing assistance for domestic violence victims with
12 pets, including assistance with respect to any con-
13 struction or operating expenses of newly developed
14 or existing emergency and transitional pet shelter
15 and housing (regardless of whether such shelter and
16 housing is co-located at a victim service provider or
17 within the community);

18 (2) short-term shelter and housing assistance
19 for domestic violence victims with pets, including as-
20 sistance with respect to expenses incurred for the
21 temporary shelter, housing, boarding, or fostering of
22 the pets of domestic violence victims and other ex-
23 penses that are incidental to securing the safety of
24 such a pet during the sheltering, housing, or reloca-
25 tion of such victims;

1 (3) support services designed to enable a do-
2 mestic violence victim who is fleeing a situation of
3 domestic violence, dating violence, sexual assault, or
4 stalking to—

5 (A) locate and secure—

6 (i) safe housing with the victim’s pet;

7 or

8 (ii) safe accommodations for the vic-
9 tim’s pet; or

10 (B) provide the victim with pet-related
11 services, such as pet transportation, pet care
12 services, and other assistance; or

13 (4) for the training of relevant stakeholders
14 on—

15 (A) the link between domestic violence,
16 dating violence, sexual assault, or stalking and
17 the abuse and neglect of pets;

18 (B) the needs of domestic violence victims;

19 (C) best practices for providing support
20 services to such victims;

21 (D) best practices for providing such vic-
22 tims with referrals to victims’ services; and

23 (E) the importance of confidentiality.

1 (d) GRANT CONDITIONS.—An eligible entity that re-
 2 ceives a grant under this section shall, as a condition of
 3 such receipt, agree—

4 (1) to be bound by the nondisclosure of con-
 5 fidential information requirements of section
 6 40002(b)(2) of the Violence Against Women Act of
 7 1994 (42 U.S.C. 13925(b)(2)); and

8 (2) that the entity shall not condition the re-
 9 ceipt of support, housing, or other benefits provided
 10 pursuant to this section on the participation of do-
 11 mestic violence victims in any or all of the support
 12 services offered to such victims through a program
 13 carried out by the entity using grant funds.

14 (e) DURATION OF ASSISTANCE PROVIDED TO VIC-
 15 TIMS.—

16 (1) IN GENERAL.—Subject to paragraph (2),
 17 assistance provided with respect to a pet of a domes-
 18 tic violence victim using grant funds awarded under
 19 this section shall be provided for a period of not
 20 more than 24 months.

21 (2) EXTENSION.—An eligible entity that re-
 22 ceives a grant under this section may extend the 24-
 23 month period referred to in paragraph (1) for a pe-
 24 riod of not more than 6 months in the case of a do-
 25 mestic violence victim who—

1 (A) has made a good faith effort to acquire
2 permanent housing for the victim's pet during
3 that 24-month period; and

4 (B) has been unable to acquire such per-
5 manent housing within that period.

6 (f) REPORT TO THE SECRETARY.—Not later than 1
7 year after the date on which an eligible entity receives a
8 grant under this section and each year thereafter, the enti-
9 ty shall submit to the Secretary a report that contains,
10 with respect to assistance provided by the entity to domes-
11 tic violence victims with pets using grant funds received
12 under this section, information on—

13 (1) the number of domestic violence victims
14 with pets provided such assistance; and

15 (2) the purpose, amount, type of, and duration
16 of such assistance.

17 (g) REPORT TO CONGRESS.—

18 (1) REPORTING REQUIREMENT.—Not later than
19 November 1 of each even-numbered fiscal year, the
20 Secretary shall submit to the Committee on Agri-
21 culture of the House of Representatives and the
22 Committee on Agriculture, Nutrition, and Forestry
23 of the Senate a report that contains a compilation
24 of the information contained in the reports sub-
25 mitted under subsection (f).

1 (2) AVAILABILITY OF REPORT.—The Secretary
2 shall transmit a copy of the report submitted under
3 paragraph (1) to—

4 (A) the Office on Violence Against Women
5 of the Department of Justice;

6 (B) the Office of Community Planning and
7 Development of the Department of Housing
8 and Urban Development; and

9 (C) the Administration for Children and
10 Families of the Department of Health and
11 Human Services.

12 (h) AUTHORIZATION OF APPROPRIATIONS.—

13 (1) IN GENERAL.—There are authorized to be
14 appropriated to carry out this section \$3,000,000 for
15 each of fiscal years 2017 through 2021.

16 (2) LIMITATION.—Of the amount made avail-
17 able under paragraph (1) in any fiscal year, not
18 more than 5 percent may be used for evaluation,
19 monitoring, salaries, and administrative expenses.

20 (i) DEFINITIONS.—In this section:

21 (1) DOMESTIC VIOLENCE VICTIM DEFINED.—
22 The term “domestic violence victim” means a victim
23 of domestic violence, dating violence, sexual assault,
24 or stalking.

1 (2) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means—

3 (A) a State;

4 (B) a unit of local government;

5 (C) an Indian tribe; or

6 (D) any other organization that has a doc-
7 umented history of effective work concerning
8 domestic violence, dating violence, sexual as-
9 sault, or stalking (as determined by the Sec-
10 retary), including—

11 (i) a domestic violence and sexual as-
12 sault victim service provider;

13 (ii) a domestic violence and sexual as-
14 sault coalition;

15 (iii) a community-based and culturally
16 specific organization;

17 (iv) any other nonprofit, nongovern-
18 mental organization; and

19 (v) any organization that works di-
20 rectly with pets and collaborates with any
21 organization referred to in clauses (i)
22 through (iv), including—

23 (I) an animal shelter; and

24 (II) an animal welfare organiza-
25 tion.

1 (3) PET.—The term “pet” means a domes-
2 ticated animal, such as a dog, cat, bird, rodent, fish,
3 turtle, horse, or other animal that is kept for pleas-
4 ure rather than for commercial purposes.

5 (4) OTHER TERMS.—Except as otherwise pro-
6 vided in this subsection, terms used in this section
7 shall have the meaning given such terms in section
8 40002(a) of the Violence Against Women Act of
9 1994 (42 U.S.C. 13925(a)).

10 **SEC. 4. SENSE OF CONGRESS.**

11 It is the sense of Congress that States should encour-
12 age the inclusion of protections against violent or threat-
13 ening acts against the pet of a person in domestic violence
14 protection orders.

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