

# HOME IS WHERE THE DOG IS: A DISCUSSION OF HOMELESS PEOPLE AND THEIR PETS

By  
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*This Article looks at the trials and tribulations homeless people face when they own pets. It establishes the three main types of pets the homeless population owns: companion animals, service animals, and emotional support animals. The Article then goes on to analyze the problems the homeless face associated with each type of animal ownership. The Article primarily draws from Leslie Irvine's novel, My Dog Always Eats First: Homeless People and Their Animals. Irvine's novel relays first-hand experiences of the homeless individuals' interactions with animals and the difficulties they face by having them. The Article addresses homeless dog owners' hardships in four sections: (1) a background explaining the different homeless population subgroups, the different types of pets, and the main problems the homeless face; (2) why the homeless deserve pets; (3) why homeless pet owners should be allowed in homeless shelters; and (4) potential solutions to this growing problem.*

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In one of Leslie Irvine’s<sup>1</sup> numerous interviews with homeless pet owners, she spoke with a woman who lived in her car with her cat about what it was like to be homeless while taking care of a pet. They discussed what they thought a stereotypical pet owner should look like with their “well-manicured yard” and “furnished living room.”<sup>2</sup> The homeless pet owner pointed out, “When you have a home, your relationships with animals take place *at* home, but when you’re homeless, they *are* your home.”<sup>3</sup>

Homeless people that have animals as companions face more problems than those without pets.<sup>4</sup> These problems include increased hostility from the domiciled public and decreased access to shelters because they are not allowed to bring pets inside most homeless facilities.<sup>5</sup> There are three main reasons why the homeless should have the right to own pets and why shelters should accept those pets: (1) the extreme emotional bond between the pet and its owner; (2) the lack of safety on the streets; and (3) the ease with which shelters could adapt their facilities to allow pets. Of course, shelters must also consider the safety, allergies, and fears of other occupants before allowing every animal inside. This Article discusses each of these topics in turn and suggests some solutions that could help homeless pet owners while keeping shelters safe for others.

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<sup>1</sup> Leslie Irvine is an Associate Professor of Sociology at the University of Colorado, Boulder, who researches human-animal interactions. Many of the homeless people’s stories found in this Article come from her book, *My Dog Always Eats First: Homeless People & Their Animals*, in which she conducted interviews with seventy-five homeless pet owners across the country. LESLIE IRVINE, *MY DOG ALWAYS EATS FIRST: HOMELESS PEOPLE & THEIR ANIMALS* (2013).

<sup>2</sup> LESLIE IRVINE, *MY DOG ALWAYS EATS FIRST: HOMELESS PEOPLE & THEIR ANIMALS* 85 (2013).

<sup>3</sup> *Id.*

<sup>4</sup> Emma Woolley, *Why Do Homeless People Have Pets?*, HOMELESS HUB (Nov. 7, 2014), <http://homelesshub.ca/blog/why-do-homeless-people-have-pets> [https://perma.cc/C2P7-RTES] (accessed Dec. 20, 2016).

<sup>5</sup> *Id.*

## I. BACKGROUND/HISTORY

In January 2015, the Annual Homeless Assessment Report to Congress stated that 564,708 people in the United States were homeless on any given night.<sup>6</sup> However, it has been estimated that as many as 3.5 million people per year experience homelessness<sup>7</sup> and as many as 25% have animals as pets in some areas of the country.<sup>8</sup> This Section discusses some of the various subgroups of homeless people, how animals are defined, and the disparate treatment of homeless pet owners.

### A. *Subgroups of Homeless People*

The homeless population is a diverse subset of society that is made up of unique subgroups. Each subgroup interacts with their pets differently and has distinct motivations for owning animals. For example, the recently dislocated demographic, those “experiencing homelessness for the first time and for a short while,” tend to own pets because they had them before they became homeless and do not want to give them up or cannot find a suitable place for them.<sup>9</sup> Victims of domestic violence who turn to shelters for safety often have pets because their abusers threatened to injure or kill the pet if they left.<sup>10</sup> Travelers, those that choose to move around often and like to refer to themselves as houseless rather than homeless, like to have pets for the companionship they provide.<sup>11</sup> For the homeless youth subgroup, many report that “their pets [keep] them company and [make] them feel loved.”<sup>12</sup> These are only a few examples of the subgroups of the diverse homeless population that will be discussed in this Article.

### B. *Categories of Animals Defined*

Aside from wild animals and those used for agricultural purposes, the law divides owned animals into three general categories: compan-

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<sup>6</sup> MEGHAN HENRY ET AL., U.S. DEP’T OF HOUSING & URBAN DEV., THE 2015 ANNUAL HOMELESS ASSESSMENT REPORT (AHAR) TO CONGRESS 1 (Nov. 2015), <https://www.hudexchange.info/resources/documents/2015-AHAR-Part-1.pdf> [<https://perma.cc/QMP4-5ZE3>] (accessed Dec. 20, 2016).

<sup>7</sup> FAQs, PETS OF THE HOMELESS, <https://www.petsofthehomeless.org/about-us/faqs/> [<https://perma.cc/CX5R-7S97>] (accessed Dec. 20, 2016).

<sup>8</sup> Harmony Rhoades et al., *Pet Ownership Among Homeless Youth: Associations with Mental Health, Service Utilization and Housing Status*, CHILD PSYCHIATRY HUM. DEV. 237, 237 (2014).

<sup>9</sup> IRVINE, *supra* note 2, at 35.

<sup>10</sup> Katie Linek, *A Safe Place for Pets and People: Keeping the Whole Family Together*, UNCENSORED, Summer 2015, at 10, 12–13, <http://nationallinkcoalition.org/wp-content/uploads/2015/07/Homelessness-ICHP-article.pdf> [<https://perma.cc/V343-53FX>] (accessed Dec. 20, 2016).

<sup>11</sup> IRVINE, *supra* note 2, at 37.

<sup>12</sup> Rhoades et al., *supra* note 8, at 237.

ion animals, service animals, and emotional support animals.<sup>13</sup> The following is a discussion of the definitions and differences between each of these categories and where the animals of the homeless fit within them.

The first and easiest category to define is companion animals. These are dogs, cats, or “any other domesticated animal normally maintained in or near the household of the owner or person who cares for such other domesticated animal.”<sup>14</sup> Companion animals are merely pets and are afforded no special treatment under the Americans with Disability Act (ADA).<sup>15</sup> Often, the animals accompanying homeless people fall into this category because these animals are pets and are only there to provide companionship and love to their owner, not to perform a service.

The second category consists of emotional support animals. This category has been defined as “an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability.”<sup>16</sup> This is a homeless person’s best chance for getting their animal into a shelter with them because this category has been recognized by the Fair Housing Act.<sup>17</sup> For example, in San Francisco a pet owner may receive documentation from a physician that they need the companionship of an animal. The owner would then take that documentation to the Society for the Prevention of Cruelty to Animals (SPCA) to obtain a ‘service tag.’ This tag allows pets to accompany their owners into public buildings, on mass transit, and into housing with a ‘no pets’ policy, such as a homeless shelter.<sup>18</sup>

A homeless shelter must allow a person with a service animal to have access to the facility.<sup>19</sup> However, for an emotional support animal that does not qualify as a service animal, a shelter may ask for documentation showing that a homeless person has a disability and needs an emotional support animal before allowing them to bring the

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<sup>13</sup> Jessica TenBrinks, *Service Animal v. Companion Animal*, INDEPENDENCE CTR. (Sept. 17, 2013), <https://www.theindependencecenter.org/service-animal-vs-companion-animal/> [https://perma.cc/67AN-JDAD] (accessed Dec. 20, 2016).

<sup>14</sup> N.Y. AGRIC. & MKTS. LAW § 350 (McKinney 2015).

<sup>15</sup> TenBrinks, *supra* note 13; *Service Animals*, U.S. DEP’T JUST. (July 12, 2011), [https://www.ada.gov/service\\_animals\\_2010.htm](https://www.ada.gov/service_animals_2010.htm) [https://perma.cc/VN83-5SYH] (accessed Dec. 20, 2016).

<sup>16</sup> JOHN TRASVINA, U.S. DEP’T OF HOUS. & URBAN DEV., SERVICE ANIMALS AND ASSISTANCE ANIMALS FOR PEOPLE WITH DISABILITIES IN HOUSING AND HUD-FUNDED PROGRAMS 1, 2 (2013), [https://portal.hud.gov/hudportal/documents/huddoc?id=servanimals\\_ntcfheo2013-01.pdf](https://portal.hud.gov/hudportal/documents/huddoc?id=servanimals_ntcfheo2013-01.pdf) [https://perma.cc/ZEW7-A5HW] (accessed Dec. 20, 2016).

<sup>17</sup> *Id.*

<sup>18</sup> IRVINE, *supra* note 2, at 31.

<sup>19</sup> *Can a Homeless Person with a Service Animal Be Denied Entrance to a Homeless Shelter?*, PETS OF THE HOMELESS (May 6, 2013), <https://www.petsofthehomeless.org/news-blog/can-a-homeless-person-with-a-service-animal-be-denied-entrance-to-a-homeless-shelter/> [https://perma.cc/WD4B-QX3E] (accessed Dec. 20, 2016).

pet inside. This could be a problem because mental health services are difficult for homeless people to acquire due to the high cost and lack of access.<sup>20</sup> There are numerous stories depicting the mental health struggles some homeless people go through and how their pets have saved their lives. For example, one woman who suffered from panic attacks caused by living on the streets described her dog as her medicine because when she cuddled with him, her panic went away.<sup>21</sup> Another woman with a history of depression accompanied by thoughts of suicide referred to her cat as her suicide barrier because the cat was her “only source of daily, steady affection and companionship.”<sup>22</sup> For both of these women, it is clear that their pets are more than just companion animals and should be recognized as emotional support animals.

The final category consists of service animals, which the ADA defines as “dogs that are individually trained to do work or perform tasks for people with disabilities.”<sup>23</sup> If the pet is not specifically trained to help with a specific disability, it is not considered a service animal under the ADA, even if its owner needs its help.<sup>24</sup> This is a problem for the homeless because they cannot always afford to go to a physician to get diagnosed with having a disability that allows the use of a service animal.

In *Stamm v. New York City Transit Authority*, a woman suffering from psychological problems and post-traumatic stress disorder claimed that her dogs were service animals under the ADA.<sup>25</sup> She trained them to “‘alert [her] by pawing [her] leg’ upon sensing that [she] was ‘emotionally upset’” to keep her from dissociating.<sup>26</sup> The court found that regulations “defined ‘service animal’ solely in terms of the work and tasks the animal was trained to perform.”<sup>27</sup> The sole difference between *Stamm* and the interactions between the homeless and their pets during panic attacks or depression is the animal training requirements. For example, during a homeless man’s bout of depression, his dog would nudge him with his nose until he petted the dog.<sup>28</sup> This would calm the man down and bring him out of his downward spiral.<sup>29</sup> If the dog had been specifically trained to perform this action when he sensed his owner slipping into a depression, the dog would be considered a service animal. However, because he is merely

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<sup>20</sup> *Poor Health and Homelessness*, NAT’L ALL. TO END HOMELESSNESS, [http://www.endhomelessness.org/pages/mental\\_physical\\_health](http://www.endhomelessness.org/pages/mental_physical_health) [https://perma.cc/4G3T-W82F] (accessed Dec. 20, 2016).

<sup>21</sup> IRVINE, *supra* note 2, at 95.

<sup>22</sup> *Id.* at 147.

<sup>23</sup> *Service Animals*, *supra* note 15.

<sup>24</sup> *Id.*

<sup>25</sup> *Stamm v. N.Y.C. Transit Auth.*, 04-CV-2163 SLT JMA, 2011 WL 1315935, at \*4 (E.D.N.Y. Mar. 30, 2011).

<sup>26</sup> *Id.*

<sup>27</sup> *Id.* at \*27.

<sup>28</sup> IRVINE, *supra* note 2, at 96.

<sup>29</sup> *Id.*

the pet of a homeless person, there is no recourse for the man or his dog in this situation.

According to a *Los Angeles Times* article, the Southern California Housing Rights Center and the Disability Rights Legal Center filed a lawsuit in 2009 against the Los Angeles Homeless Services Authority alleging discriminatory practices towards homeless people with service dogs.<sup>30</sup> The lawsuit claims that emergency shelters in Los Angeles turn away homeless people with service dogs. However, shelters cannot legally do this, because people have a legal right under the ADA to bring their service dogs into shelters with them.<sup>31</sup> If this case is successful, it could be a big step toward providing the disabled homeless population with service dogs easier access to shelters.

### C. *Pets Affect the Way Homeless People Are Treated*

For the most part, the homeless population is an ignored sector of society. However, once they begin keeping pets, they get much more attention from the general population.<sup>32</sup> Much of the attention is positive and includes pet food donations or someone asking if they can pet the dog or telling the owner how cute the pet is. The attention can also be negative, for example, if people tell the homeless that they are horrible pet owners or try to buy the pet from them. This Section discusses both the positive and negative ways homeless pet owners are treated and their typical responses to this treatment.

#### i. *Positive Interactions*

Homeless people are often secluded from the rest of the world, which leads to increased loneliness from lack of human interaction and relationships.<sup>33</sup> Pets alleviate this loneliness by bringing attention to their owners, leading to increased socialization for the humans. One homeless man describes his dog as “a catalyst for getting out among the world. Otherwise, I tend to isolate.”<sup>34</sup> Pets also increase interactions with other homeless people. For example, some state that “having a dog facilitated contact with what they saw as the ‘right kind’ of homeless people, those who knew the ropes and shared their knowl-

<sup>30</sup> Lindsay Barnett, *Lawsuit Alleges Discrimination Against Homeless People with Service Dogs*, L.A. TIMES (July 20, 2009), <http://latimesblogs.latimes.com/unleashed/2009/07/lawsuit-alleges-discrimination-against-homeless-people-with-service-dogs.html> [https://perma.cc/6G9M-RMRS] (accessed Dec. 20, 2016).

<sup>31</sup> *Frequently Asked Questions About Service Animals and the ADA*, U.S. DEP’T JUST. (July 20, 2015), [https://www.ada.gov/regs2010/service\\_animal\\_qa.html](https://www.ada.gov/regs2010/service_animal_qa.html) [https://perma.cc/A358-63JH] (accessed Dec. 20, 2016).

<sup>32</sup> Leslie Irvine et al., *Confrontations and Donations: Encounters Between Homeless Pet Owners and the Public*, SOC. Q. 25, 27 (2012) [hereinafter *Confrontations and Donations*].

<sup>33</sup> Aline H. Kidd & Robert M. Kidd, *Benefits and Liabilities of Pets for the Homeless*, PSYCHOL. REP. 715, 716 (1994).

<sup>34</sup> IRVINE, *supra* note 2, at 57.

edge.”<sup>35</sup> This is especially important for the recently dislocated subgroup that does not know where to find food or safe shelter.

On the other hand, some homeless people report that the public interacts with them less because of their pet. This could be because of “noise, fear of dogs, or danger when the animal is obviously intent on ‘protecting’ the owner.”<sup>36</sup> The type of pet could also affect the interaction. Most people would love to pet a cute toy poodle, but might be scared or intimidated by a large German shepherd, Rottweiler, or pit bull.

*ii. Confrontations*

Keeping animals as pets also brings confrontation to homeless people from the domiciled public who do not believe they should have pets. Some of this confrontation comes from people trying to buy a homeless person’s pet. One homeless man described this as “something you deal with a lot, people trying to buy your animals off you ‘cause they want to give ‘em a better home.”<sup>37</sup> Some homeless people simply ignore these offers. Others respond by asking if the domiciled person would sell their child, to show how important their pets are to them.<sup>38</sup>

Another conflict comes from the general public telling homeless people that they do not deserve pets because they cannot take care of them. There are numerous examples of people saying things like “you shouldn’t have a dog if you don’t have a place to live,” or “you should have gotten rid of him,” or “just because [you’re] homeless doesn’t mean [your] dog wants to be homeless.”<sup>39</sup> For the most part, the homeless either try to ignore these interactions or openly defy them by using profanity or by uttering some other harsh retort.<sup>40</sup>

## II. HOMELESS PEOPLE DESERVE TO HAVE PETS

Pets bring happiness, love, and companionship to their owners whether they live in a house or on the streets. In this Section, the reasons why homeless people deserve to have pets will be examined by looking at both the benefits homeless pet owners gain from their animals such as love, companionship, and protection, as well as the burdens homeless people encounter such as providing proper food, shelter, and veterinary care to the animals.

### A. *Why Homeless People Should Have Pets*

Pets bring an array of benefits to people: providing emotional support, reducing loneliness, giving unconditional love and acceptance,

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<sup>35</sup> *Id.* at 74.

<sup>36</sup> Kidd & Kidd, *supra* note 33, at 720.

<sup>37</sup> *Confrontations and Donations*, *supra* note 32, at 30.

<sup>38</sup> *Id.*

<sup>39</sup> *Id.* at 31.

<sup>40</sup> *Id.*

enhancing self-esteem and quality of life, and increasing interactions with other people.<sup>41</sup> These benefits are increased for homeless people because of their lack of regular human interaction and a greater degree of dependency on their pets.<sup>42</sup>

The benefit of pet ownership most often named by homeless people is the love and companionship that the animals provide. In contrast to the domiciled public that goes to work and leaves their pet at home for eight hours a day, the homeless are with their pets all day, every day. In one way or another, everything a homeless person does revolves around their pet because of their strong desire to provide adequate care for the animal. In a study of 52 homeless pet owners, 74% of the men and 48% of the women stated that their pets were their only source of companionship and love.<sup>43</sup> This shows how important pets are to the homeless, especially if they cannot find love or companionship in any of their other relationships.

In a study of homeless youth in Los Angeles, pet owners had fewer symptoms of loneliness and depression.<sup>44</sup> This was also true with many of the homeless people who Irvine interviewed. Several of the youth in the study stated they would be "lonely as hell" or suicidal if it were not for their pets accompanying them on their travels.<sup>45</sup> Because homelessness generally causes an increase in depression, it is good for a homeless person to have a pet that can alleviate some of the symptoms.

Perhaps the most important benefit named by homeless people is the protection their pet provides them while living a dangerous life on the streets. On top of having to worry about food and shelter, because homeless people often have to live in unsafe areas of cities, they have to constantly worry about being robbed of the few items they do have, being attacked by humans or other animals, or being raped.<sup>46</sup> One young woman sleeps with her dog tied to her leg because "no matter the size of the dog, it does always make people more wary about trying to [mess] with you because they know that that dog is there to try to protect you."<sup>47</sup> That same woman was saved from being attacked by a group of men when she awoke to her dog barking at them in the middle of the night.

Other times, pets protect their owners from threats of animal attacks. For the homeless that live in cities, the threats come mostly from stray dogs. For those who camp in the woods, pets provide protection from wild animals. One homeless man said that he did not have to

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<sup>41</sup> Kidd & Kidd, *supra* note 33, at 716.

<sup>42</sup> *Id.*

<sup>43</sup> *Id.* at 719.

<sup>44</sup> Rhoades et al., *supra* note 8, at 240.

<sup>45</sup> IRVINE, *supra* note 2, at 118.

<sup>46</sup> *Id.* at 115.

<sup>47</sup> *Id.*



worry about bears or mountain lions while he hiked because his dog would warn him if there were any dangers in the woods.<sup>48</sup>

*B. Why Homeless People Should Not Have Pets*

Perhaps the biggest burden pets cause their homeless owners is the increased difficulty in finding shelter for both of them. In a study completed by Randall Singer, Lynette Hart, and Lee Zasloff, homeless pet owners were surveyed about their difficulties in finding housing.<sup>49</sup> Among the chronically homeless participants—those homeless for more than six months or at multiple times—71.4% of the men and 66.7% of the women had been refused housing while they owned a pet.<sup>50</sup> The authors argued that owning a pet could become a “convenient excuse” to prevent homeless pet owners from obtaining adequate, affordable housing.<sup>51</sup>

Often when the domiciled public says homeless people should not have pets, it is because they believe the person cannot feed themselves, let alone a pet. This is a valid argument because it is hard to imagine a homeless person getting enough money from donations on the street to buy food to keep both themselves and their pets fully satisfied. A study of homeless pet owners in the San Francisco area found that 58% of the participants had a real problem feeding their pets.<sup>52</sup>

However, the participants who spoke with Irvine reported that they rarely have a hard time feeding their animals because of the pet food donations they collect. They receive food from the domiciled public, pet stores, veterinary street clinics, humane societies, and even Animal Control in some cities.<sup>53</sup> Most often these donations are from the public that come up to the homeless pet owner and ask, “Hey, do you want some dog food?” or, “You’re homeless? Here. Can I give you this?”<sup>54</sup> With all of these donations, the pet often eats better and more regularly than its homeless owner.<sup>55</sup>

Another argument against allowing homeless people to have pets is that they are exploiting their animals for money. One allegation is that homeless people breed animals so they can sell them to the domiciled public or to dog fighters.<sup>56</sup> However, there is no direct evidence to support this. Some homeless people breed animals in order to give

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<sup>48</sup> *Id.* at 116.

<sup>49</sup> Randall S. Singer et al., *Dilemmas Associated with Rehousing Homeless People Who Have Companion Animals*, PSYCHOL. REP. 851, 855 (1995).

<sup>50</sup> *Id.*

<sup>51</sup> *Id.* at 856.

<sup>52</sup> Kidd & Kidd, *supra* note 33, at 718.

<sup>53</sup> *Confrontations and Donations*, *supra* note 32, at 37.

<sup>54</sup> *Id.*

<sup>55</sup> *Id.* at 36.

<sup>56</sup> Gale Holland, *Hounding a Homeless Man into Giving up His Dogs*, L.A. TIMES (Sept. 15, 2014), <http://www.latimes.com/nation/la-me-c1-homeless-puppies-20140915-story.html> [<https://perma.cc/9EB4-76HL>] (accessed Dec. 20, 2016).

them to their friends for protection or companionship.<sup>57</sup> This is merely an accusation made by animal rights activists trying to get pets taken away from their homeless owners.<sup>58</sup>

There is also the allegation that because homeless pet owners generally receive more monetary donations than non-pet owners, they are exploiting their pet to play on the public's sympathies.<sup>59</sup> However, the extra donations are usually of pet food rather than money. So even though homeless pet owners may receive more donations, they are usually more for the benefit of the animal than for the owner. One homeless woman specifically stated that if she is panhandling, she puts her dog in her van so as not to exploit him to get more money.<sup>60</sup>

The final argument used against homeless people having pets is that they are not able to provide adequate veterinary care for them. In a study of the "Benefits and Liabilities of Pets for the Homeless," 55% of the participants found providing veterinary care a serious problem because it was too expensive.<sup>61</sup> Luckily, in some major cities there are now organizations that provide free veterinary care to homeless people's animals. Veterinary Street Outreach Services (Vet SOS), located in San Francisco, provides free veterinary care to homeless pets and connects the pet's owner with health care services so that they both get the help they need.<sup>62</sup> Additionally, Pets of the Homeless is a national organization that feeds and provides emergency veterinary care to homeless people's pets.<sup>63</sup>

### III. PETS SHOULD BE ALLOWED IN HOMELESS SHELTERS

Most homeless shelters will not allow people to bring their pets inside "because of safety and health concerns" for other shelter occupants.<sup>64</sup> However, the previously mentioned Singer study found that "93% of men and 96% of women said that housing would not be acceptable if pets were not allowed."<sup>65</sup> This makes it nearly impossible for homeless pet owners to stay in shelters where they could receive food, a bed for the night, and necessary services. The following Sections look at the reasons homeless pet owners will not go into a shelter where

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<sup>57</sup> *Id.*

<sup>58</sup> See Holland, *supra* note 56 (describing one homeless man's experience when activists became angry by his breeding a dog).

<sup>59</sup> Jane M. Agni, *Portland Animal Rights Activists Abduct and Rehome Pets Belonging to the Homeless*, NAT'L REP. (2014), <http://nationalreport.net/portland-animal-rights-activists-abduct-rehome-pets-belonging-homeless/> [https://perma.cc/85NR-9X7L] (accessed Dec. 20, 2016).

<sup>60</sup> IRVINE, *supra* note 2, at 68.

<sup>61</sup> Kidd & Kidd, *supra* note 33, at 718.

<sup>62</sup> *Veterinary Street Outreach Services*, S.F. COMM. CLINIC. CONSORTIUM, <http://www.sfccc.org/veterinary-street-outreach-services-vetsos/> [https://perma.cc/6KLM-KXL9] (accessed Dec. 20, 2016).

<sup>63</sup> *About Us*, PETS OF THE HOMELESS, <https://www.petsofthehomeless.org/about-us/> [https://perma.cc/BWF9-6NFY] (accessed Dec. 20, 2016).

<sup>64</sup> IRVINE, *supra* note 2, at 22.

<sup>65</sup> Singer et al., *supra* note 49, at 854.

their pets are not allowed and the resources they are missing out on because of this decision.

A. *Homeless Pet Owners Will Not Go to Shelters If Pets Are Not Allowed*

There are many reasons given by homeless pet owners as to why they would rather continue sleeping on the streets than go to a homeless shelter that will not allow for their pets. Some say they can no longer sleep at night without their pets near them.<sup>66</sup> They are so attached to their pets or have relied on them to keep them safe at night for so long, that they now cannot deal with the idea of having to sleep without them. Even if a shelter provides outdoor kennels for pets, some homeless pet owners still refuse to stay because their pets are family, and if they have to sleep outside, the owner chooses to sleep outside too.<sup>67</sup>

A majority of homeless people do not have a safe place to leave their pet while they go to a shelter for even a short amount of time.<sup>68</sup> They also fear that if they take the pet with them to the shelter, someone might try to take their pet away from them. This could be another occupant of the shelter, an Animal Control officer looking for unlicensed animals, or an activist wanting to take pets away from homeless people.<sup>69</sup>

Shelters excluding pets particularly affect homeless women, especially those who are trying to leave abusive relationships. For a homeless woman who has already lost so much in her life, having to give away her pet in order to find safety in a shelter may cause even more emotional harm.<sup>70</sup> Unfortunately, it is this thought that keeps many victims in abusive relationships. Between 18% and 48% of battered women have delayed leaving a relationship because they fear their abusive partners would kill or torture the animal they left behind.<sup>71</sup>

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<sup>66</sup> IRVINE, *supra* note 2, at 22–23.

<sup>67</sup> *Id.*

<sup>68</sup> Rhoades et al., *supra* note 8, at 238.

<sup>69</sup> Evan Pang, *Public Outcry After Animal Rights Group Confiscates Homeless Man's Puppy*, HUFFINGTON POST CAN. (Sept. 24, 2015), [http://www.huffingtonpost.ca/2015/09/24/cause-animal-nord-steal-homeless-mans-puppy\\_n\\_8191792.html](http://www.huffingtonpost.ca/2015/09/24/cause-animal-nord-steal-homeless-mans-puppy_n_8191792.html) [https://perma.cc/7TEH-FFWL] (accessed Dec. 20, 2016); Henry Samuel, *Animal Rights Group Returns Puppy Seized from Paris Homeless Man*, TELEGRAPH (Oct. 5, 2015), <http://www.telegraph.co.uk/news/worldnews/europe/france/11911832/Animal-rights-group-returns-puppy-seized-from-Paris-homeless-man.html> [https://perma.cc/6E23-U8VD] (accessed Dec. 20, 2016).

<sup>70</sup> Jennifer Labrecque & Christine A. Walsh, *Homeless Women's Voices on Incorporating Companion Animals into Shelter Services*, 24 ANTHROZOËS 79, 80 (Anthony L. Podberscek ed., Apr. 28, 2015).

<sup>71</sup> ALLIE PHILLIPS, AM. HUMANE PETS & WOMEN'S SHELTERS PROGRAM, STARTUP GUIDE 6 (2008), <http://alliephillips.com/wp-content/uploads/2010/11/American-Humanes-Pets-and-Womens-Shelter-PAWS-Manual-20091.pdf> [https://perma.cc/W97W-6CM8] (accessed Dec. 20, 2016).

*B. Homeless Pet Owners Are Missing Out on Valuable Resources*

Shelters provide access to valuable resources and services that homeless people need in order to survive living on the streets. These include: safe shelter, food, showers, and in some shelters, access to laundry facilities, medical care, substance abuse treatment, classes, and employment assistance. When shelters do not allow pets, many owners refuse to stay in them.<sup>72</sup> This causes the person to miss out on these needed resources because they do not have a safe location to leave their pets.<sup>73</sup> The lack of a safe location or a friend to leave their pets with also leads to the homeless person having a harder time obtaining healthcare services.<sup>74</sup>

#### IV. SOLUTIONS FOR A GROWING PROBLEM

With as many as 25% of homeless people owning a pet in the United States, trying to find solutions to the many problems pet ownership brings can be a challenge.<sup>75</sup> This Section discusses possible solutions to the growing problems homeless pet owners face regarding their rights to own pets and to bring those pets into public housing with them.

*A. Homeless People Deserve to Keep the Pets They Have*

Even though it is rare that pets are taken away from homeless people, it is not completely unheard of. Animal Control, the police, or the domiciled public acting as ‘animal activists’ may take them away.<sup>76</sup> Despite who is taking the pets, it is a traumatic experience for the homeless pet owners.

*i. Animal Activists*

According to a *Huffington Post Canada* article, in September 2015 three activists from a French group called “Cause Animale Nord” stole a puppy from a homeless man.<sup>77</sup> Both the puppy and the man cried as the three activists ran off down the street. The reason given by the group for taking the puppy was that the man was exploiting it for money.<sup>78</sup> They further claimed that he had drugged the dog, but a video taken by an onlooker shows the puppy was alert and yelping when it was taken.<sup>79</sup> The group even tried to sell the dog for €175 and went so far as to put the puppy with a foster family until it could be

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<sup>72</sup> IRVINE, *supra* note 2, at 22.

<sup>73</sup> Rhoades et al., *supra* note 8, at 238.

<sup>74</sup> *Id.*

<sup>75</sup> Rhoades et al., *supra* note 8, at 237.

<sup>76</sup> Pang, *supra* note 69; Samuel, *supra* note 69.

<sup>77</sup> Pang, *supra* note 69.

<sup>78</sup> *Id.*

<sup>79</sup> *Id.*

sold.<sup>80</sup> Luckily for the homeless man, the video was posted on social media, and after a public outcry, the puppy was returned to him.<sup>81</sup>

Gerrick Miller, a homeless man in Los Angeles, was the owner of a pit bull named Sugar and her ten puppies.<sup>82</sup> Since the day the puppies were born, members of the domiciled public would take photographs or videos of them because they suspected Miller was operating a puppy mill to sell to dog fighters.<sup>83</sup> Miller stated the puppies were not for sale, because he was planning on keeping some and giving some away to friends. However, Miller was breaking the law when he bred the dog without a license and had pit bulls that were not spayed or neutered within city limits. Animal Services took the puppies, but offered to give them back to Miller after they were fixed and vaccinated.<sup>84</sup> However, Miller was soon arrested on a drug possession charge, and the puppies and Sugar were put up for adoption.<sup>85</sup>

The Animal Lovers Against Homeless Pet Ownership (ALAHPO) in Portland, Oregon is an animal rights group that was formed in 2010.<sup>86</sup> Members kidnap homeless people's pets and re-home them with "responsible families via an underground network of sympathetic veterinarians and animal rescue organizations."<sup>87</sup> The group claims that the homeless population that owns pets often uses them to "procreate funds which support their drug habits" or are "merely an object to keep them warm while nodding out under a bridge."<sup>88</sup> They claim the pets are suffering, starving, and infested with parasites from having to live on the streets without proper veterinary care.<sup>89</sup> These 'vigilantes' are able to get away with stealing these pets because they do so under the cover of darkness and police rarely take a homeless person seriously when he or she reports a missing pet.<sup>90</sup>

It is true that some homeless people do not properly take care of their pets. However, the same can be said for any pet owner, homeless or domiciled. It should not be up to a group of rogue activists to decide which homeless people are taking proper care of their pets, and they should not be allowed to steal anyone's pet to give away to an owner they think is more worthy.

*ii. Laws That Make Pet Ownership Difficult for the Homeless*

There are many types of laws that hinder pet ownership among the homeless. Breed-specific legislation limits the types of dogs home-

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<sup>80</sup> Samuel, *supra* note 69.

<sup>81</sup> *Id.*

<sup>82</sup> Holland, *supra* note 56.

<sup>83</sup> *Id.*

<sup>84</sup> *Id.*

<sup>85</sup> *Id.*

<sup>86</sup> Agni, *supra* note 59.

<sup>87</sup> *Id.*

<sup>88</sup> *Id.*

<sup>89</sup> *Id.*

<sup>90</sup> *Id.*

less people may have, licensing laws make it difficult for them to legally own a pet, and anti-cruelty laws could make their lifestyles illegal if it interferes with the ‘proper’ care of their pets.<sup>91</sup>

The first issue homeless people face in keeping their pets is the implementation of breed-specific legislation in many metropolitan areas such as San Francisco, Denver, and Miami.<sup>92</sup> Some homeless people think that breed-specific legislation is a direct attack on the homeless as a way to keep them from sleeping on the streets or panhandling in busy metropolitan areas.<sup>93</sup> Many homeless people own pit bulls or a similar-looking breed, and many of the current breed laws restrict or ban those types of dogs.<sup>94</sup> For example, San Francisco’s breed-specific legislation is as follows:

No person may own, keep, or harbor any dog within the City and County of San Francisco that the person in possession knew, or should have known, was a pit bull that has not been spayed or neutered unless:

- (a) The pit bull is under eight weeks of age;
- (b) The pit bull cannot be spayed or neutered without a high likelihood of suffering serious bodily harm or death due to a physical abnormality . . . ;
- (c) The pit bull has been present in the City and County of San Francisco for less than thirty days;
- (d) The owner, guardian or keeper has obtained, or has submitted an application for a breeding permit . . . ;
- (e) Determination of breed is under appeal . . . ; or
- (f) The pit bull is a show dog . . . .<sup>95</sup>

As previously mentioned, homeless people often have pit bulls, or similar-looking breeds, making them susceptible to breed-specific legislation. It is sometimes difficult for homeless people to get their dog spayed or neutered because they do not always have access to affordable veterinary care. The free veterinary clinics that travel to areas highly populated by homeless people often provide these services, which makes it easier for the homeless to keep their pets in cities.<sup>96</sup> Additionally, homeless people’s pets probably do not fall under any of the exceptions listed in San Francisco’s breed laws. If a person is charged with violating San Francisco’s breed laws, they can be punished with a fine not to exceed \$500 and be forced to pay to get their pet spayed or neutered.<sup>97</sup> However, the fine could be waived if it would

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<sup>91</sup> See, e.g., *Breed-Specific Legislation*, ASPCA, <http://www.asPCA.org/animal-cruelty/dog-fighting/what-breed-specific-legislation> [<https://perma.cc/8Y52-GSTD>] (accessed Dec. 20, 2016); *About Us*, PETS OF THE HOMELESS, <https://www.petsofthehomeless.org/about-us/faqs/> [<https://perma.cc/DD8B-T5F9>] (accessed Dec. 20, 2016).

<sup>92</sup> S.F., CAL., HEALTH CODE art. 1, § 43.1 (2005); DENVER, COLO., CODE OF ORDINANCES § 8-55 (1996); MIAMI, FLA., CODE OF ORDINANCES § 15-17 (1989).

<sup>93</sup> IRVINE, *supra* note 2, at 125.

<sup>94</sup> *Id.* at 124–25.

<sup>95</sup> S.F., CAL., HEALTH CODE art. 1, § 43.1 (2005).

<sup>96</sup> IRVINE, *supra* note 2, at 31.

<sup>97</sup> S.F., CAL., HEALTH CODE art. 1, § 43.2(a) (2005).

cause extreme financial hardship to the owner.<sup>98</sup> A homeless person typically does not have the money to pay a fine or to get their pet spayed or neutered. This would be considered an extreme financial hardship, but it is up to an official to determine if the fee will be waived. Therefore, breed-specific legislation adds additional problems for homeless people who want to own pets.

Most states require pet owners to have a license for their animal and charge a large fine or take the pet to Animal Control if the owner does not comply.<sup>99</sup> This can be difficult for homeless pet owners because of the price and the application requirements. Even though most counties only charge \$10 or \$20 for a license,<sup>100</sup> that amount can be significant for a homeless person to spend. Many counties require that a pet be spayed or neutered before they will grant a license,<sup>101</sup> which could lead to more costs if the homeless person cannot find a low cost or free veterinary service. The pet also has to be up to date on all of its rabies vaccinations,<sup>102</sup> yet another cost. Finally, the applications have a space for the pet owner's address.<sup>103</sup> In order for homeless people to fill out a license application to comply with the law, they would likely have to lie about their address.

Additionally, some opponents of homeless people owning pets use a state's animal cruelty laws as a reason why the homeless should not be allowed to keep animals. California's cruelty to animals statute states that a person who "fails to provide the animal with proper food, drink, or shelter or protection from the weather" is guilty of animal cruelty.<sup>104</sup> It could be argued that a homeless person does not provide shelter or protection from the weather for their pet because they make them sleep outside. In the winter, a homeless person may sit outside asking for food or money with their pet near them. This is another way they may not be "providing protection from the weather" if both the human and the pet are freezing. If pet food is not donated to the homeless person, it is possible that they may dig through the garbage to feed both themselves and their pet. This could be seen as not providing proper food to the animal. If a homeless person is found guilty of animal cruelty in California, they could be subject to a felony punishable by imprisonment, a fine of not more than \$20,000, or both.<sup>105</sup> Either of these would severely punish homeless pet owners and they would no longer be able to care for their pet.

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<sup>98</sup> *Id.*

<sup>99</sup> Nicole Pajer, *5 Reasons to Get Your Dog Licensed*, CESAR'S WAY, <https://www.cesarsway.com/get-involved/bringing-new-dog-home/5-reasons-to-get-your-dog-licensed> [<https://perma.cc/YDU6-CKTN>] (accessed Dec. 20, 2016).

<sup>100</sup> *Id.*

<sup>101</sup> *See id.* (stating that dog owners should expect to pay to license their dog if it has not been spayed or neutered).

<sup>102</sup> *Id.*

<sup>103</sup> *See id.* (discussing the need to relicense a pet if the owner moves addresses).

<sup>104</sup> CAL. PENAL CODE § 597 (West 2012).

<sup>105</sup> *Id.*

*B. Homeless People Should Be Able to Adopt Pets from Kill Shelters*

Often, homeless people's pets are stray animals that others did not want anymore or were part of a litter of a stray animal. Without homeless people taking care of them, it is likely that these animals would end up in shelters where they could wait months or years to be adopted, or even worse, be euthanized because of overcrowding.<sup>106</sup> According to the American Society for the Prevention of Cruelty to Animals (ASPCA), approximately 7.6 million companion animals enter into shelters every year, and 31% of the dogs and 41% of the cats are euthanized.<sup>107</sup> A solution to decrease these numbers would be to allow homeless people to adopt from kill shelters around the country. This would decrease overcrowding in animal shelters as well as increase the well-being of many homeless people.

Adoption standards at animal shelters are difficult to meet for a member of the domiciled public, and they are nearly impossible for a homeless person. An interested person must often fill out a long form that includes their address, veterinarian information, occupation, housing information, and financial information in case the pet gets sick or injured.<sup>108</sup> All of this information is difficult for a homeless person to provide, which would likely cause an animal shelter to deny their application for a pet.

However, if the standards for kill shelters were not as stringent, then homeless people could adopt these pets and give them a life full of love and happiness. There is a homeless woman in San Francisco who volunteered at an animal control center and saved a dog from being put to sleep.<sup>109</sup> She "got the money, faked an address and adopted him."<sup>110</sup> Having this pet is what helped her go into rehab and change her life forever.<sup>111</sup> She had to lie to adopt a pet that was scheduled to be killed. This woman later adopted another dog, Athena, which she gave to one of her friends.<sup>112</sup> Athena also saved the life of her new owner who was trapped in an abusive relationship and had drug and alcohol problems.<sup>113</sup>

A likely objection to this solution would be that if a shelter lowers its adoption requirements, a bad owner could more easily adopt an animal and then mistreat or neglect it. The solution to this objection is that lower standards should only apply to kill shelters and only for

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<sup>106</sup> *Shelter Intake and Surrender: Pet Statistics*, ASPCA, <http://www.aspc.org/animal-homelessness/shelter-intake-and-surrender/pet-statistics> [https://perma.cc/2Z9T-4SBZ] (accessed Dec. 20, 2016).

<sup>107</sup> *Id.*

<sup>108</sup> *E.g.*, *Dog/Puppy Adoption Application*, ANIMAL RESCUE PROJECT, <http://www.animalrescueproject.org/adopt/dog-application.html> [https://perma.cc/9TKZ-J7ST] (accessed Dec. 20, 2016).

<sup>109</sup> IRVINE, *supra* note 2, at 133.

<sup>110</sup> *Id.*

<sup>111</sup> *Id.* at 134.

<sup>112</sup> *Id.* at 137–38.

<sup>113</sup> *Id.*



homeless people who go through a screening process. In order to determine if a homeless person would be a good candidate for pet adoption, the kill shelter should require the person to complete at least twenty-five volunteer hours at the shelter. This would allow the shelter to see how the person acts around animals and if he or she is able to care for an animal properly. It would also help the shelter because they are often understaffed and have a hard time finding volunteers to care for all the animals. This solution also saves the lives of animals that would otherwise be euthanized and gives them a loving owner who will cherish their company.

### C. *Homeless Shelters Should Be Required to Allow Pets*

Homeless shelters should be required to allow animals because that is likely the only way the pet owners will be able to receive the services they need. Of course, this could only apply to animals that are well-behaved and are not people- or pet-aggressive in order to keep the other occupants safe and comfortable. There is an easy way to design homeless shelters that can support these animals while taking into account the needs of other occupants so that both humans and pets may benefit.

One way to design animal-friendly shelters is to attach a pet facility to a homeless day center.<sup>114</sup> This would allow homeless pet owners to care for their pets during the day, and volunteers would take care of the pets at night.<sup>115</sup> Pet owners would still be able to play with their pets whenever they want, and both human and animal would have the safety of a shelter at night. Additionally, this plan would take away the issues that other shelter occupants might have with animals because they would never have to interact with them. However, many homeless pet owners do not like to sleep at night without their pets by their side so this could be a problem for some.<sup>116</sup> This would be a good solution for people who are only going to be homeless for a short period of time, but not for chronically homeless pet owners.

The PetSmart Promise Program is building pet sanctuaries attached to Family Promise day centers throughout the country.<sup>117</sup> PetSmart has also made space in twenty-two of its PetsHotel locations so homeless families can board their pet for free while they get back on their feet. For people who do not have access to sanctuaries or a PetsHotel, the Promise Program also created a pet-fostering program to assist the homeless while they are looking for jobs or housing.<sup>118</sup> Pet-

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<sup>114</sup> Hillary Hanson, *When Homeless Shelters Create Room for Pets, Everybody Wins*, HUFFINGTON POST (Nov. 9, 2015), [http://www.huffingtonpost.com/entry/homeless-shelters-pets-petsmart-family-promise\\_us\\_563a5f3de4b0307f2cabb415](http://www.huffingtonpost.com/entry/homeless-shelters-pets-petsmart-family-promise_us_563a5f3de4b0307f2cabb415) [https://perma.cc/2VH3-9EYZ] (accessed Dec. 20, 2016).

<sup>115</sup> *Id.*

<sup>116</sup> IRVINE, *supra* note 2, at 22.

<sup>117</sup> Linek, *supra* note 10, at 11.

<sup>118</sup> *Id.*

Smart understands the value of keeping an entire family together during a difficult time, and that includes the family pet.<sup>119</sup>

There are successful shelters around the country that allow pets to accompany their homeless owners. Some, like the Loaves and Fishes facility in Sacramento, California, provide kennels to house the pets while the owner showers, eats, or goes on a job interview, as long as the owner walks the dog twice a day and cleans out the kennel.<sup>120</sup> The YEAH Center in Berkeley, California,<sup>121</sup> and the Homeless Youth Alliance in San Francisco<sup>122</sup> both cater to homeless teens and young adults with pets. They provide food for both the human and the pet and provide a safe place to stay during the day. The success of these shelters proves that it is possible to cater to the needs of homeless pet owners without overburdening the facility. However, there are not nearly enough of these facilities to meet the needs of all, or even a majority, of the homeless pet owners in the United States.

#### D. *The Pets and Women's Shelters Program*

The Pet and Women Safety Act of 2014 (PAWS Act) prohibits “violent or threatening acts against the pet of the person in domestic violence protection orders.”<sup>123</sup> The Act provides an incentive for victims of domestic abuse to leave those relationships because they know their pets will also be protected from the abuser. Under the Act, grants may be given to programs or shelters providing assistance to “victims of domestic violence, dating violence, sexual assault, or stalking and the pets of such victims.”<sup>124</sup> Thus, homeless shelters could obtain grants to house pets belonging to victims of domestic abuse. This would help cover the costs associated with adapting the shelter to be able to provide pet care.

American Humane is a national program guiding “domestic and family violence emergency housing shelters toward permitting residents to bring their pets with them.”<sup>125</sup> It has created a PAWS Program with a simple-to-follow Startup Guide for domestic violence shelters to begin allowing animals. The Startup Guide gives specific details for every aspect of running a PAWS Shelter, including: policies and procedures, the types and sizes of animals allowed, how to provide veterinary care, duration and costs of housing pets, fundraising, publicity, and legal issues that may arise.<sup>126</sup> By creating a simple model for shelters to follow, the PAWS Program is creating a way for homeless people to more easily bring their pets into shelters with them.

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<sup>119</sup> *Id.*

<sup>120</sup> IRVINE, *supra* note 2, at 79.

<sup>121</sup> *Id.* at 110.

<sup>122</sup> *Id.* at 109.

<sup>123</sup> Pet and Women Safety Act of 2014, H.R. 5267, 113th Cong. § 4 (2014) (legislation pending).

<sup>124</sup> *Id.* § 3(a).

<sup>125</sup> PHILLIPS, *supra* note 71, at 5.

<sup>126</sup> *Id.* at 11–20.

### E. *The Counterargument*

There are valid reasons why a homeless shelter would not want animals to accompany their homeless owners. Some of these reasons center on the other occupants at the homeless shelters, such as allergies, animal phobias, and safety concerns. The shelter does not want to be liable if it lets a dog in that then bites another occupant. Shelters also do not want other occupants to be uncomfortable or feel unsafe in an environment that is supposed to provide safety to the homeless.<sup>127</sup> However, it is possible to reconcile all of these issues. Shelters could have a separate wing or a different floor of the building dedicated to pet owners. The animals would not be allowed in common areas or around the occupants that are scared of or allergic to animals. The shelters could also implement a one-strike rule for bad pet behavior. This would include excessive noise, excessive filth, or if the pet bites an occupant or staff member without provocation.

Other arguments a homeless shelter may have against allowing pets to join their owners concern providing extra food, supplies, and water for the animals. This could become expensive for the shelter at a time when it may not have extra funding for such things. A way to solve this is to require pet owners to provide food, water, and supplies for their pets. There could also be a joint stockpile of extra food for those that need it, but the shelter should not have to provide food for every pet in the facility. The pet owner should be the one that takes care of the pet at all times. They should take the pet out on a leash and pick up after it both inside and outside of the facility. The shelter should never have to be responsible for any pets. This would help with liability for the shelter and would give pet owners more incentive to properly take care of their animal.

### F. *Suggested Laws*

It would be difficult to pass a law requiring all homeless shelters to allow all pets into their facilities. However, there could be laws that make it harder for the shelters to turn down every animal that a homeless person brings with them. This Section discusses possible additions to existing laws that would help homeless pet owners to continue owning their pets and to get those pets into shelters with them.

There are thirteen states and cities that have either already enacted, or are considering enacting, homeless rights legislation through a 'Homeless Bill of Rights': California, Connecticut, Delaware, Illinois, Baltimore, Maryland, Minnesota, Missouri, Oregon, Puerto Rico, Rhode Island, Tennessee, Vermont, and Madison, Wisconsin.<sup>128</sup> Rhode Island was the first state to enact such legislation, and it provides that a homeless person "has the right to use and move freely in public

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<sup>127</sup> Hanson, *supra* note 114.

<sup>128</sup> *Homeless Bill of Rights*, NAT'L COAL. FOR HOMELESS, <http://nationalhomeless.org/campaigns/bill-of-right/> [<https://perma.cc/MSP5-UENL>] (accessed Dec. 20, 2016).

spaces, including, but not limited to, public sidewalks, public parks, public transportation and public buildings, in the same manner as any other person, and without discrimination on the basis of his or her housing status[,]” as well as “the right to a reasonable expectation of privacy in his or her personal property to the same extent as personal property in a permanent residence.”<sup>129</sup> Pets are considered to be the personal property of a human, so a homeless person is granted the right to a reasonable expectation of privacy concerning the animal under the Rhode Island Homeless Bill of Rights.<sup>130</sup>

In order to make pet ownership easier for homeless people, it would be a simple solution to add a provision into the Homeless Bill of Rights legislation. The provision could state that homeless people are allowed to own pets as long as the animal is not being intentionally and negligently mistreated in any way and that they should not be hassled or discriminated against because of their pet ownership. This would give homeless people a legal recourse against activist vigilantes trying to steal their pets. It would also make it easier for homeless people to keep their pets near them while sitting on sidewalks because it would make it more difficult for the police to hassle them.

If every homeless shelter will not be required to allow pets, there should at least be a law that mandates every county to have one homeless facility that is equipped to handle pets. Depending on the size of the county, it may be necessary to have more than one of these facilities to meet the demands of the area. Entrance to a shelter would be on a first-come, first-serve basis and should be equipped to house at least twenty-five people and their pets. This would help the homeless population get off the streets with their pets, as well as save cities money. There is evidence from homeless shelters across the country that it costs a city significantly less to house a homeless person for a year in a shelter than it does to allow them to live on the streets incurring medical and incarceration costs.<sup>131</sup>

It would not be difficult to ease some of the burdens homeless people face because of their pets. Shelters could begin allowing pets in certain wings or floors; counties could require at least one shelter to allow pets; kill shelters could lower their adoption standards for qualified homeless people looking for a pet; or laws could be enacted to make it easier for homeless people to own pets. Any of these solutions would help alleviate a growing problem for homeless pet owners.

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<sup>129</sup> 34 R.I. GEN. LAWS § 34-37.1-3 (2012).

<sup>130</sup> William C. Root, *Man's Best Friend: Property or Family Member—An Examination of the Legal Classification of Companion Animals and Its Impact on Damages Recoverable for Their Wrongful Death or Injury*, 47 VILL. L. REV. 423, 423 (2002).

<sup>131</sup> Bryce Covert, *City Passes Innovative 'Homeless Bill of Rights,'* THINK PROGRESS (Mar. 5, 2015), <http://thinkprogress.org/economy/2015/03/05/3630141/indianapolis-homeless-bill-of-rights/> [http\[s\]://perma.cc/L6SG-W7MC](http://perma.cc/L6SG-W7MC) (accessed Dec. 20, 2016).

## V. CONCLUSION

For homeless pet owners, there are myriad issues they face every day simply because they own a pet while living on the street. They endure negative comments, actions, and perceptions from the domiciled public; they struggle finding a safe place to live where both human and animal are welcome; they miss out on access to valuable services and resources provided by healthcare facilities or homeless shelters; and they live in fear that someone may steal their beloved pet from them at any moment.

However, the benefits gained from an animal companion drastically outweigh these burdens for a homeless person. They have a constant source of love, companionship, and happiness, which is often lacking in a homeless person's life; they have protection from dangerous humans and animals; and their quality of life is greatly increased.

This Article detailed the increased problems homeless people face when they have a pet, including the hostility that is shown to them by the domiciled public and shelters refusing to allow both human and animal to stay inside the facility. Finally, some solutions were offered to ease these growing problems while also considering the needs of the homeless shelters and their occupants. It is those solutions that will ensure that a homeless person is able to hold onto the most important part of their *home*, their pet.