



## Psychiatry & Behavioral Science Section - 2015

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### I23 Zoophilia and the Law in the United States: Legal Responses to a Rare Paraphilia

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After attending this presentation, attendees will understand the history and phenomenology of zoophilia, recent research findings on individuals who engage in human-animal sexual behaviors, pertinent case and statutory law about human-animal sexual contact in the United States, and the forensic implications of this body of law.

This presentation will impact the forensic science community by teaching useful epidemiological and phenomenological information about this rare paraphilia, and courts' and legislative bodies' historical response to human-animal sexual contact. It will also point out significant gaps in the current understanding of zoophilia as a risk factor for sexual violence recidivism. Attendees' competence at assessing individuals who have engaged in human-animal sexual contact will improve.

Sexual contact between humans and animals has occurred since the earliest recorded history and continues to this day. Alfred Kinsey's original research suggested that human-animal sexual contact was a relatively common phenomenon, but it is unclear to what degree his data are generalizable to the current population. More recent research has focused on self-identified "zoophiles" and their reported reasons for engaging in sexual intercourse with animals. Commonly identified reasons include being sexually attracted to animals and desiring to express love and affection for animals. In the Diagnostic and Statistical Manual, Fifth Edition, zoophilia is classified under the diagnosis of Other Specified Paraphilic Disorder and the diagnostic criteria require that an individual's paraphilia must cause distress or impairment, or result in harm or risk of harm to self or others.

Though societies' responses to bestiality have varied internationally, the response in the United States has typically involved condemnation and prosecution. Currently, there are 31 states with statutes prohibiting human-animal sexual contact. These statutes vary widely in terms of charge severity, potential punishments, and terminology used to describe zoophilic behavior. Despite the prevalence of anti-bestiality legislation, there is limited case law in the United States. Most commonly, bestiality arises in legal cases involving Sexually Violent Predator (SVP) civil commitments. In none of the identified cases has an individual diagnosed with zoophilia had his SVP status removed. Identifying offenders who commit acts of bestiality is important since these individuals may be at an increased risk of committing a variety of other sexual and non-sexual violent acts against humans; however, due to different laws between states, commonly used forensic risk assessment tools for sexual recidivism can yield different scores for individuals charged with or convicted of bestiality offenses. Forensic evaluators should consider this factor when conducting risk assessments. State legislatures should also consider modernizing their bestiality statutes to accord with current terminology and objectives for such laws.

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#### **Zoophilia, Sexual Offending, Recidivism**