

OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA

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July 3, 2013

Re: *Leaving Children and Pets Unattended in Motor Vehicles*

Leaving children and pets unattended in vehicles is not just life-threatening – it is often illegal.

Children should never be left alone in cars under any circumstances, but during hot weather it can cause brain damage or even death. During the summer months, it only takes a matter of minutes for the temperature inside of a vehicle to rise to unsafe levels.

Even on a moderately warm day, temperatures inside a closed car can quickly become deadly. Within one hour, an outside temperature of 72 degrees can cause unhealthy conditions inside a vehicle that can adversely affect the health, safety and well-being of a child or animal. Even when the windows are slightly opened, an outside temperature of 85 degrees can cause the temperature inside the car to reach 102 degrees within 10 minutes, and 120 degrees within half an hour. These temperatures can be fatal.

Therefore, leaving pets or children unattended in vehicles can have tragic consequences far more significant than subjecting someone to criminal penalties. However, such criminal penalties do exist.

It is a crime to leave a child who is 6 years of age or younger unattended inside a motor vehicle when there are conditions that present a significant risk to the child's health or safety (Vehicle Code Section 15620). Under certain circumstances, such as when a person willfully permits a child to be placed in a situation where the child's health is endangered, that person may be charged with child endangerment, and may be subjected to imprisonment in county jail for up to 1 year, or in state prison for up to 6 years (California Penal Code section 273a). If this action results in the death of the child, that person may be charged with involuntary manslaughter (California Penal Code section 192).

If you see a child unattended in a car, please call 911.

It is also a crime to leave any animal in an unattended motor vehicle under conditions that endanger the health or well-being of the animal. These conditions include heat, cold, lack of adequate ventilation, lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability or death to the animal (California Penal Code Section 597.7; Santa Barbara Municipal Code Ordinance 6.12.170). If the animal suffers great bodily injury, the crime is punishable by a fine of up to \$500, imprisonment in county jail for up to 6 months, or both.

If you see an animal in distress, please contact your local Animal Services Shelter immediately. In Santa Barbara County, they can be reached at (805) 681-5285, and the Santa Barbara City Animal Control can be reached at (805) 963-1513. In Santa Maria, please call (805) 934-6119. In Lompoc, please call (805) 737-7755.

Your District Attorney's Office is committed to ensuring public safety, which includes protecting those too vulnerable to protect themselves. Please join us in ensuring that our children and pets remain safe and happy especially during these warm summer months.

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