

# Identifying and Reporting Animal Cruelty: introduction

Massachusetts Animal Coalition: Hot Topics

December 2, 2018

Emily McCobb DVM MS DACVAA

# Reporting Animal Cruelty

**THE ROLE OF THE VETERINARIAN: ESTABLISHING PROTOCOLS TO IDENTIFY AND REPORT SUSPECTED ANIMAL CRUELTY IN MASSACHUSETTS**



<b>Fundamentals</b>	<b>11</b>
<b>Role &amp; Responsibilities</b>	<b>29</b>
<b>Standard Operating Procedures</b>	<b>41</b>
<b>Legal Actions</b>	<b>129</b>
<b>Other Considerations</b>	<b>141</b>
<b>Further Laws &amp; Resources</b>	<b>149</b>
<b>Credits &amp; References</b>	<b>167</b>

**Tufts**  
UNIVERSITY

Cummings School  
of Veterinary Medicine

**ANIMAL RESCUE LEAGUE  
of BOSTON**

**ANIMALFOLKS**

**Tufts**  
UNIVERSITY

Cummings School  
of Veterinary Medicine

# Animal cruelty awareness for veterinarians and animal welfare advocates

---

- Goals:

- understand why reporting animal cruelty is important
- review what everyone in our industry needs to know and be able to do
- review key concepts with regards to the “the link”

# Introduction: My disclaimer

- I'm not the only expert in the room ....





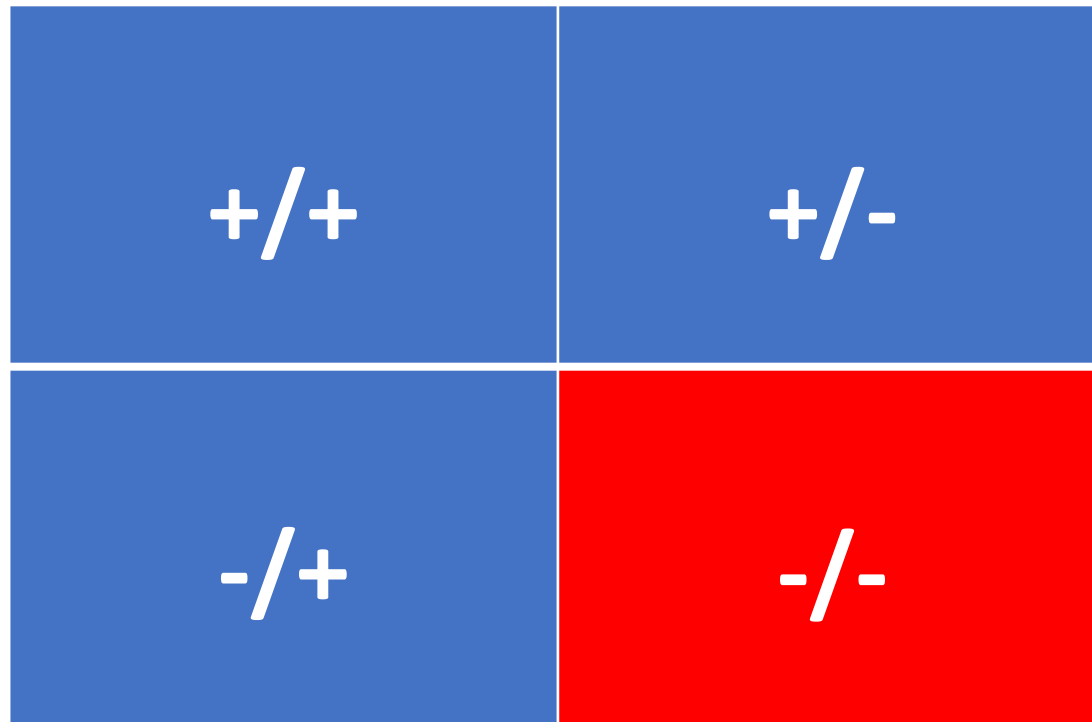
# Outline

- ✧ Context: Veterinary attitudes toward reporting animal abuse
- ✧ Why reporting abuse is important
- ✧ Evidence for the link
- ✧ Identifying Animal Cruelty
- ✧ Animal Welfare Assessments and animal cruelty

# Objectives

- Understand the history of child abuse reporting
- Know how to report animal abuse
- List common red flags of abuse
- Understand concerns of veterinarians about reporting cruelty and abuse
- Understand how animal welfare assessments can be used to identify animal cruelty

# Human Animal Interactions



Modified from Lockwood

# My journey into the animal cruelty field

- Veterinary student- 1996
- Interviewed a focus group of veterinarians for Dr. Andrew Rowan

“Now that you mention it, that did seem odd.....”

- Most veterinarians had seen cruelty, most were reluctant to report, neglect was most common



What veterinary students were taught about animal cruelty in the 1990s:

# As a veterinary intern.....

- Dog with rubber band around its ear base
- Cat “stepped on” in home – severe head trauma
- Dog burned by hot water heater
- Rottweiler shot in head
- Dog shot with arrows
- Bandaged animals whose owners did not return for follow up care
- Cat stabbed by child in home



# Masters of Animals and Public Policy

- Hoarding of Animals Research Coalition (HARC)
- TAC score
  - Dr. Annette Rauch
  - Dr. Gary Patronek



- Attended Link conference in Western MA
  - Met officer Flanagan and Dr. Lorna Grande

# At the Center for Animals

- Worked with graduate and veterinary students who had an interest in cruelty and inter personal violence

## Commentary

### The veterinarian's role in animal cruelty cases

Melanie A. Benetato; Robert Reisman, DVM; Emily McCobb, DVM, MS, DACVA

Often interpreted as signs of moral depravity, acts of animal cruelty disturb the ethical sensibilities of society. Even so, the complex relationship between animals and humans has made the protection of animals a delicate and often conflicting endeavor. This complexity is due in part to the way animals are attributed moral consideration according to the particular animal's given role in society, ranging from pest to product to valued family member. As a result, laws governing the appropriate treatment of animals differ depending on how society views or uses the species. At least one study<sup>1</sup> found beliefs about the type of animal abused to be more important to the determination of penalty than the nature of the cruel act inflicted on the animal. Moreover, because animal cruelty is a legal—not a

Four Stages of Cruelty, which depict the sociopath progression of violence, beginning with animal cruel and ending in murder.<sup>4</sup> While this so-called progression thesis has been difficult to substantiate, the belief that violent individuals can harm many victims—both human and animal—is well accepted. Many studies have attempted to verify a link between animal cruel and human-directed violence. For example, a survey<sup>5</sup> of 38 women entering battered women's shelters found that 71% of the pet-owning women reported that their partner had threatened or actually hurt or killed one or more of their pets. Another study<sup>6</sup> found that people with a history of violence toward animals were at higher risk for exhibiting violence toward people. A retrospective study<sup>7</sup> that examined the histories of in-

## Commentary

### How can veterinarians report animal abuse if they don't know who to report it to?

Megan E. Glasere MS  
Emily McCobb DVM, MS

From the Center for Animals and Public Policy, Cummings School of Veterinary Medicine, Tufts University, North Grafton, MA 01536.

Address correspondence to Ms. Glasere (Megan.Glasere@tufts.edu).

Because they are often the first point of contact for sick or injured pets, veterinarians are key to recognizing animal abuse and neglect, and veterinarians are generally understood to have an ethical responsibility to report instances of severe animal abuse or neglect to the proper authorities.<sup>1,2</sup> As of 2015, at least 11 states had enacted laws requiring veterinarians to report cases of suspected animal abuse, with most of these states also having laws specifically provid-

Because animal cruelty and mandated reporting laws are often used in conjunction with one another, the disparities between states may reflect differences in what animals are covered by animal cruelty laws and regulations, how animal cruelty is defined, and what punishment is assessed. Meanwhile, variations in capabilities, funding, and investigative power among agencies may help explain the variety of practices currently used for handling reports. Nevertheless, the use

# Resources and Collaborations

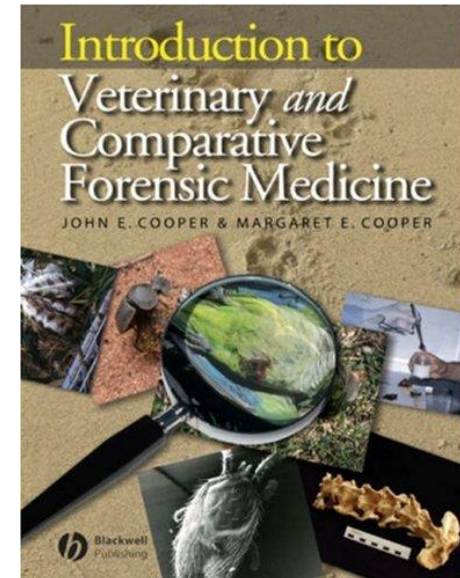
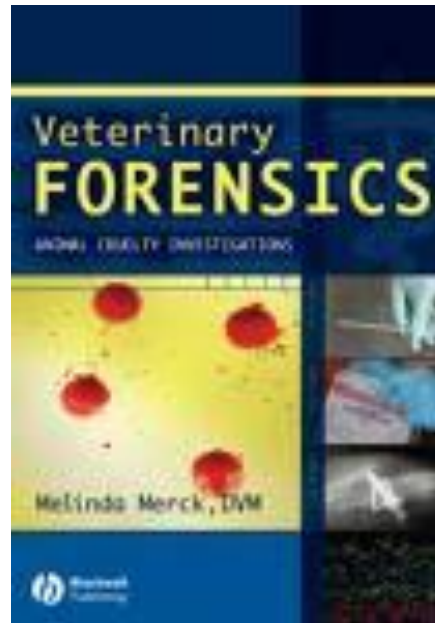
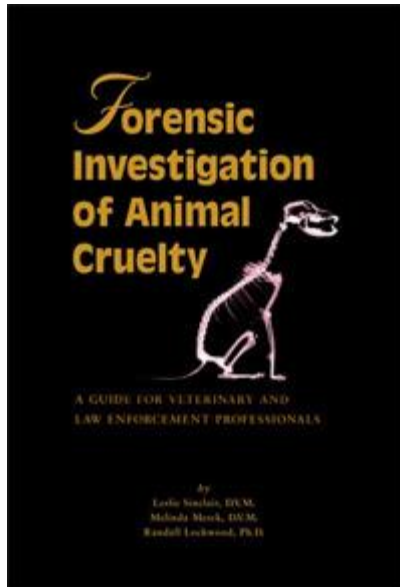


- Curriculum Analysis
- Engagement with Animal Cruelty Task Force

# What Cummings Veterinary Students are taught about animal cruelty in 2018:

- Problem Based Learning Case (Benetato)
- Animal Welfare, Policy, Ethics Signature Opportunity :
  - Veterinary Medicine and the Law, taught by Dr. Martha Smith-Blackmore
  - Ethics and Veterinary Medicine (McCobb/Benetato)
    - describes cruelty and the legal and ethical duty veterinarians have to report
    - Reporting Animal Cruelty Manual* (Animal Rescue League of Boston) as a key resource
- Elective: introduction to veterinary forensics (Smith-Blackmore) has been taught since 2011

# Veterinary Forensics: an emerged field



**UF** | Veterinary Forensic Sciences  
College of Veterinary Medicine

**Tufts**  
UNIVERSITY

Cummings School  
of Veterinary Medicine



# Veterinary Attitudes

- Changes in our curriculum reflect how attitudes and awareness are also changing-





# Veterinary Attitudes

## CFA/MSPCA study 1999:

- 93.6 % of Massachusetts veterinarians believe that they have an ethical responsibility to report suspected animal abuse.
- Far fewer (44.5%) believed they should be **REQUIRED** to report.

Donley et al, (1999). *JAWS*



# Concerns About Reporting

## Fears of violating state confidentiality rules

- Example: Arkansas recently (June 2010) refused an amendment that would allow veterinarians to break confidentiality in order to report abuse.
- However, many states provide specific exemptions to confidentiality agreements for reporting abuse.
- Debate still ongoing at AVMA



# Concerns About Reporting

## Fear of prosecution for false reports

- Over half of the states in the US provide immunity for reports made in “good faith”.
- In states where immunity is not provided, veterinarians risk being sued for defamation.



# Concerns About Reporting

Fear that no action would be taken on the report or that the report would make the situation worse

- Fear that reporting abuse will result in the animal being seized and euthanized.
- Fear that the abuse will escalate
- Assumption that local police will not respond to an animal cruelty complaint



## Concerns About Reporting

Belief that clients who neglect or abuse animals need education and guidance, not arrest

- In some cases, education can be attempted before a report of animal cruelty is made.
- However, not all forms of abuse can be solved through education.



## Concerns About Reporting

Fear that owners would refuse to seek medical care in questionable circumstances for fear of being reported

- Similar to issue faced by human physicians who are required to report child abuse



# Concerns About Reporting

Fears for personal safety, retaliation



# Concerns About Reporting

Some veterinarians are reluctant to become involved in potential litigation



# Concerns About Reporting

- To Whom to make report?:
  - Not a uniform and systematic process
- Responding Agency:
  - Dept. of Agriculture
  - Humane Law Enforcement
  - Animal Control
  - Police
  - Some combination of above

# History: Reporting of Child Abuse

- Provides context for understanding issue in veterinary medicine
- Common issues for all health care professionals
- 1962: JAMA article on “Battered Child Syndrome” published (Kempe)



# The Battered Child Syndrome

- Features:
  - Fracture of any bone
  - Subdural hematoma
  - Multiple soft tissue injuries
  - Poor hygiene
  - Malnutrition
  - Sudden death
  - Or “marked discrepancy between the clinical findings and the historical data as supplied by the parents”



## Response: Model Statute

- Children's Bureau of the National Center for Child Abuse and Neglect drafts model statute requiring physicians to report suspected cases of child abuse
- Purpose:
  - 1) bring to light cases hidden to all but the expert
  - 2) establish the physician's professional duty to protect the interests of children by reporting abuse
  - 3) assert that physicians should not assist abusers by remaining silent.



## History:

### mandated reporting of child abuse

- By 1967, EVERY state had passed statutes mandating reporting of child abuse by health care professionals.
- Since 1967, many states have broadened their definitions of abuse and have required additional professionals to report.
  - SOME STATES EVEN REQUIRE VETERINARIANS TO REPORT CHILD ABUSE. (Colorado)



## Mandated reporting of child abuse in human medicine

- Physicians were not initially comfortable with this burden of responsibility.
- Physicians:
  - Did not believe that parents would hurt their children
  - Did not think it was their business to report
  - Felt unprepared to properly diagnose abuse
  - Felt uncomfortable in the role of investigator

Kempe, 1962

# History

- Situation was similar in veterinary medicine
- Lack of awareness
- Lack of willingness to report
- 2001 Munro developed Battered Pet Syndrome
- Growing belief that veterinary professionals should be treated similarly to medical professionals in their duties and obligations

# Ethical v. legal obligations

- Do you have a legal obligation to report abuse?
- Do you have an ethical obligation?
  - There is a strong moral obligation to report, in order to prevent further animal suffering and to protect people
- Most state and association policies support reporting





## Reasonable Suspicion

- Law enforcement officers are responsible for investigating reports of suspected animal cruelty.
- Prosecutors are responsible for arguing the case and interpreting the law.
- The veterinarian is ONLY responsible for providing **medical** details describing the animal's condition.

# Mandated Reporting in MA

- Veterinarians mandated reporters since 2014
- ACOs mandated in 2018

# Resource for Animal control officers

- NIBRS user manual for animal control officers and humane law enforcement

From NACA:

“On January 1, 2016, the Federal Bureau of Investigations (FBI) started collecting data on animal cruelty incidents under its National Incident-Based Reporting System (NIBRS). Since animal control officers (ACOs) and humane law enforcement (HLE) officers are the first responders to many, if not most, incidents of animal neglect and cruelty, this professional community must play a key role in ensuring accurate and comprehensive reporting of animal cruelty crimes.”

Available at: [https://nacanet.site-ym.com/page/NIBRS\\_Manual](https://nacanet.site-ym.com/page/NIBRS_Manual)

# Why cruelty is important

- Pets that are well cared for have a protective effect on human health
- But pets who are mistreated are a red flag warning of other risks to family and household

Why its so important to report

“The Link “



[www.nationallinkcoalition.org](http://www.nationallinkcoalition.org)



## Reporting Cruelty May:

- Prevent animal suffering
- Prevent human suffering
  - Animal cruelty and human-directed violence often go hand-in-hand.
- Prevent crime
  - Animal abuse is considered an indicator of concurrent criminal behavior, including gang activity, drug use, property damage and gambling.

# Why people abuse animals

- Animal abuse:
  - creates a culture of normalized violence and psychological and emotional abuse;
  - is conducted purposefully by batterers who believe that police will not see animal cruelty as warranting taking action;
  - occasionally includes forced use of pets as sexual objects;
  - occurs as a result of the perpetrator's jealousy of his partner's or a child's affections directed elsewhere; and
  - is also directed against animals belonging to friends and family members who abet her escape.

# “The Link”



- Studies suggest that people who are violent toward animals are more likely to commit violent acts against people.
- Many domestic violence victims delay leaving an abusive situation because they fear for pet's safety.
- In 88% of homes where children are physically abused, pets have been mistreated too
- Up to 71% of battered women report that the abusive partner had threatened, hurt or killed one or more of their pets. (57% actually hurt a pet)



# IPV and Animal Cruelty are co-morbid

- Pet abuse increases the risk of being a batterer 4 fold
- 41% of men arrested for DV reported animal cruelty
- Men who were involved in IPV and animal cruelty are likely to use more severe and violent tactics
  - Exacerbating effect of animal cruelty
- Animal Cruelty in children is a feature of conduct disorder

# Abuse Types

- Categories of Abuse:
  - Physical abuse (NAI)
  - Neglect
  - Sexual abuse
  - Emotional Abuse
- FBI categories of animal abuse:
  - Simple or gross neglect
  - Intentional Abuse or Torture
  - Organized Animal Abuse (fighting)
  - Animal Sexual Abuse

# Common Red Flags of Abuse

- Suspicious injuries
- Inconsistencies in the history given by the client
- Repetitive injuries in same animal or household
- Injury does not align with history

# Physical Signs of Cruelty:

- Tight collar that has caused a neck wound or has become embedded in the pet's neck
- Open wounds, signs of multiple healed wounds or an ongoing injury or illness that isn't being treated
- Untreated skin conditions that have caused loss of hair, scaly skin, bumps or rashes
- Extreme thinness or emaciation—bones may be visible
- Fur infested with fleas, ticks or other parasites
- Patches of bumpy, scaly skin rashes
- Signs of inadequate grooming, such as extreme matting of fur, overgrown nails and dirty coat
- Weakness, limping or the inability to stand or walk normally
- Striking an animal otherwise physically hurting an animal

# Environmental Signs of Cruelty:

- Pets are tied up alone outside for long periods of time without adequate food or water, or with food or water that is unsanitary
- Pets are kept outside in inclement weather without access to adequate shelter
- Pets are kept in an area littered with feces, garbage, broken glass or other objects that could harm them
- Animals are housed in kennels or cages (very often crowded in with other animals) that are too small to allow them to stand, turn around and make normal movements

• From ASPCA PRO

# Animal Welfare Assessments

- Can be used to decide threshold for cruelty when animal are alive
- Helps identify animals who have been mistreated
- Consider:
  - nutrition
  - comfort
  - health
  - behavior

Or Five Freedoms Framework

- Animals who have low welfare qualify raise suspicion for animal mistreatment

# Key Points

- Shelter workers and ACOs are frontline professionals
- You will see animal abuse
- You need to know:
  - How to identify abuse
  - How to report suspected abuse
  - Role you can play in preventing violence
- Every agency needs an SOP
- Applies to all species
- Cruelty is a legal definition

# SEVEN TIPS for veterinarians reporting animal cruelty in Massachusetts\*

1

Be proactive: Form relationships with your local police department (PD) and animal control officer (ACO) now.

When you believe or suspect you have encountered a case of animal cruelty or animal fighting, call your contact at the PD to report your concerns. If your contact is not available, you can ask to speak to a detective.

2

3

As a general rule, you do not need to call 911. Establish where the abuse may have occurred. Call the PD in that community and ask for a detective. Tell them you are a mandated reporter for suspected animal cruelty. You should call 911 if you think you, your staff, your clients or your patients are or might be in imminent danger.

Be sure your records, exams and tests are detailed and complete. Include any conversations you or staff had regarding the case. After reporting, don't be afraid to follow up with authorities.

4

5

If the client refuses care, and they take the animal home in a suffering condition, call the PD for the locality where the animal lives and make a report. The PD or ACO can do a welfare check and the police have the ability to write a search warrant, and retrieve the animal if appropriate.

If your local officials are unresponsive, call the Animal Rescue League of Boston at (617) 226-5610 or the MSPCA at (617) 522-6008. You may also call these agencies first.

6

7

Be sure to keep detailed notes of when & what you reported, who you spoke with.

\* These tips are guidelines and are not meant to substitute for legal advice.

Courtesy MVMA



# Questions?

