



Roles/Responsibility/Reporting



What is role of the ACO/Shelter/Rescue Agent
How to Set Up Protocols



Edward Schettino, DVM, PhD



ANIMAL
RESCUE
LEAGUE
of BOSTON



A champion for animals



Reporting Animal Cruelty

- 2014 PAWS Act (Protecting Animal Welfare and Safety)
 - Requires veterinarians to report suspected animal abuse
- Created a reporting manual
 - *“Reporting Animal Cruelty The Role of the Veterinarian: Establishing Protocols to Identify and Report Suspected Animal Cruelty in Massachusetts”*
- Manual provides explanations of MA law and supporting material
 - Veterinarians can develop protocols for their clinic to guide the reporting of animal neglect, cruelty, and abuse
- Collaboration
 - Cummings School of Veterinary Medicine at Tufts University
 - Animal Rescue League of Boston
 - Animal Folks (Minnesota)



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Reporting Animal Cruelty

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



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Tufts
UNIVERSITY

Cummings School
of Veterinary Medicine

**ANIMAL RESCUE LEAGUE
of BOSTON**

ANIMALFOLKS

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Reporting Animal Cruelty

THE ROLE OF THE VETERINARIAN

- The Animal Rescue League of Boston
www.arlboston.org/crueltymanual/
- The Cummings School of Veterinary Medicine at Tufts University
<http://vet.tufts.edu/center-for-animals-and-public-policy/>

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The Importance of Reporting

Animal dies; boy protected

It's a story worth telling and re-telling because it explains how reporting suspected animal abuse can save lives.

The story begins with a Good Samaritan — a contractor who was at a house for remodeling work. While there, he heard a dog crying out loudly next door.

The contractor left the house to see what was happening and found an elderly dog in a garage, dragging his back legs. Next to the dog was a woman.

The man asked what had happened and the woman explained that the dog was old and needed to be euthanized. The man offered to pay for the euthanasia and asked to bring the dog to his veterinarian. The woman agreed, and both went to the veterinarian's clinic.

While at the clinic, the veterinarian examined the animal. She found blunt-force trauma along the inside of the back legs and a recent untreated laceration. The veterinarian also concluded that the dog was in severe pain and that the animal needed to be euthanized, and she performed the euthanasia.

Continued next page.

**"The veterinarian knew that
something was not right.
The fact that the animal was old
did not explain the fresh bruises
or the degree of pain
this dog had experienced."**



Continued from previous page.

Something was not right

The veterinarian, however, knew that something was not right. The fact that the animal was old did not explain the fresh bruises or the degree of pain this dog had experienced.

The veterinarian suspected that the dog had been beaten, and contacted local law enforcement to investigate. She didn't have all the answers, but she knew something was wrong. This veterinarian also chose not to dispose of the body and instead submitted the animal for a necropsy.

The necropsy showed acute blunt-force trauma from the head down the entire spine, as well as on the chest. Contusions of the kidney were also found. The dog had been beaten, and suffered pain from this act.

Investigation conducted; boy also abused

These medical findings provided evidence for the investigators to arrest the woman.

When law enforcement visited the home, they also found a small child with bruising. Both the man and the woman present in the home were arrested for child abuse and animal abuse.

Source: Thanks to Melinda Merck, DVM, for the story above, as told in a phone conversation; Dr. Merck performed the forensic necropsy.

Protecting animals — and humans

One of the most important reasons for a veterinarian to report suspected animal cruelty is that he or she may not know the full story.

A veterinarian may examine an animal and suspect that occurred but may not know all the details — and reporting may uncover other examples of violence against animals and/or humans.

Animal cruelty is a legal, not a medical, determination.

Once law enforcement receives a complaint, they can then conduct an investigation and, with the city or district attorney's office, determine whether the evidence collected supports a criminal prosecution. This is a multi-disciplinary team effort.

By reporting suspicions to law enforcement, the veterinarian has the ability to stop potential violence and suffering and protect both animals and humans.



Reporting Animal Cruelty

Reporting may uncover other examples of violence against animals and/or humans



Five Key Considerations

Remember: Animal cruelty is a legal, not a medical, determination. As you move forward in developing protocols for reporting animal cruelty, keep the following considerations in mind:

1. Safety first

Never compromise the safety of humans or animals. If you are concerned and there is a feeling of risk or harm, call 911.

2. Treat the animal

If the animal is neglected or abused, you need to collect and document the evidence — but do not compromise the timely treatment of the animal (Balkin, 2007).

3. You are not the judge or jury

Veterinarians are health professionals, and what is required of you (professionally, ethically, and legally) is to report suspected or known animal maltreatment. *Do not determine if a case is neglect, cruelty, or abuse* — that is for law enforcement to investigate, the prosecutor to prove, and the jury or judge to decide. Reporting does not mean the person is going to be thrown in jail or even charged. Reporting allows other authorities to investigate the incident further to make sure the animal in question — and other animals and humans — are not at risk of harm.

4. Avoid bias; be impartial

It is the veterinarian's responsibility to make an accurate and truthful determination of the animal's health (Reisman, 2012). Avoid any bias, and document the medical facts. Industry standards, or a client's economic status, age, ignorance, or other factors may be used by the defendant as excuses for his or her behavior, but these factors should not be used by a veterinarian in assessing an animal's health.

5. This is not an exact science

Identifying and recognizing animal cruelty may not be an exact science, but it is a science. This is why a veterinarian's medical expertise is critical. A standard approach of "what to do and look for" in all cases is helpful, but each case will be unique.



The Link

Violence against animals and humans

"I used to tie two cats together and throw them over a clothesline and watch them rip each other apart," said serial killer Richard Kuklinski, "the Iceman," when explaining how deadly he was toward animals (Video, 2013).

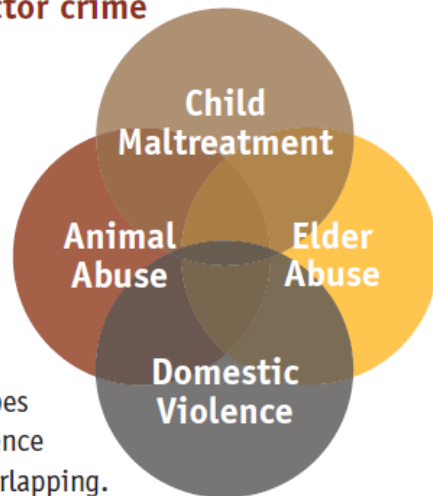
Other serial killers have described their obsession with torturing animals prior to moving on to human victims. In a study of 36 convicted multiple murderers, 46 percent admitted committing acts of animal torture as adolescents.*

An indicator and predictor crime

Not only serial killers commit crimes against animals.

Violence against animals is considered a potential indicator and predictor of concurrent or future child maltreatment, domestic violence, and elder abuse, also known as "The Link."

The schematic at right describes how four forms of family violence are often intertwined and overlapping.



Animals are easy targets

Animals, like children and the elderly, are more vulnerable and therefore seen as easy targets for abuse.

Research proves the cycle of violence

- In child-abusing households, the incidence of dog bites in violent homes was reportedly eleven times greater than that in the normal population (DeViney, Dickert, and Lockwood, 1983).
- Over 71 percent of battered women with pets affirmed that the batterers had threatened, hurt or killed their companion animals (Ascione et al., 2007), and "32 percent of battered women reported that their children had hurt or killed their pets" (Ascione, 2008).
- More than a dozen surveys have reported that between 18% to 48% of battered women have delayed their decision to leave a batterer, or have returned to their batterer, out of fear for the welfare of their pets or livestock (Ascione, 2007).
- In a 2001-4 study by the Chicago Police Department, 65 percent of those arrested for animal crimes had also been arrested for battery against another person.

*2001-4 study, Chicago Police Department, 2001-4 study

Reporting Animal Cruelty

The Link between violence against animals and humans is well documented. Violence against animals is considered a potential indicator and predictor of concurrent or future child maltreatment, domestic violence, and elder abuse.



The “Power and Control Wheel” of Animal Abuse and Domestic Violence

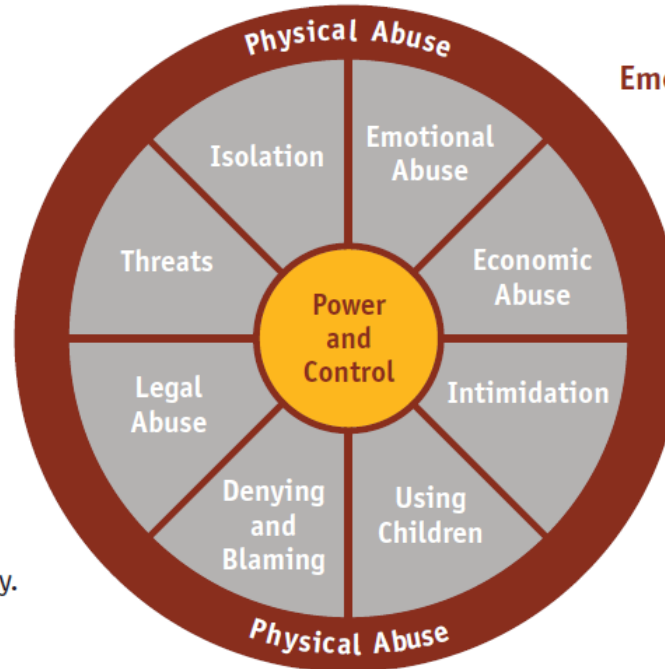
The diagram below is from the National Link Coalition, adapted from Domestic Violence Intervention Network.

Isolation: Refusing to allow the partner to take a pet to the vet. Prohibiting the partner from allowing a dog to socialize with other dogs.

Threats: To harm or kill a pet if the partner leaves or asserts any independence.

Legal Abuse: Custody battles over pets. Filing theft charges if the partner leaves with a pet.

Denying and Blaming: Blaming the partner or the pet for the cruelty. Killing the pet and saying it didn't matter because the pet was old.



Emotional Abuse: Disappearing, giving away, or killing pets to take away the source of unconditional love. Forced participation in animal sexual abuse.

Economic Abuse: Refusing to allow the partner to spend money on pet food or pet care.

Intimidation: Harming or killing a pet: “Next time it’ll be you...”
Targeting pets or targeting family/friends who aid the escape of the partner.

Using Children: Harming/killing children’s pets to intimidate them. Blaming the “disappearance” of the family pet on the partner to create a wedge between the partner and the children.

Why People Are Cruel to Animals

“There are many reasons why adults and children are cruel to animals. It should not always be seen as a result of uncontrolled anger” (Phillips and Lockwood, 2013).

Reprinted from Investigating & Prosecuting Animal Abuse (2013), NDAA, by Allie Phillips, J.D. and Randall Lockwood, Ph.D., citing Eleanora Gullone, Conceptualizing Animal Abuse with an Antisocial Behavior Framework (2011), and Keller and Flethous (1985).

Some reasons why animals are abused

- harming the animal to control people or the animal
- retaliation against the animal and others through extreme punishment
- prejudice against a breed as not worthy of life
- aggression through the animal, such as animal fighting
- acting out aggression, such as target shooting
- shock for amusement
- displacement of aggression (sometimes from children acting out their own abuse)
- sadism, which involves inflicting suffering through power and control

Reasons why children are abusive to animals

- curiosity or exploration
- peer pressure
- to threaten or intimidate others to gain power and control
- sexual gratification
- to prevent someone else from harming their pet
- acting out the abuse they have suffered
- rehearsing their own suicide
- seeking to shock or offend others to draw attention to themselves
- as a way of producing injury to themselves, analogous to “cutting”



Classifications of Abuse

The Battered-Pet Syndrome

In 2001, veterinary pathologist Helen Munro and veterinary epidemiologist M. V. Thrusfield conducted a study, known as the “Battered-Pet Syndrome,” documenting veterinarians’ experiences of physical abuse with companion animals (primarily dogs and cats).

The study “revealed a wide range of injuries in dogs and cats ... which showed remarkable similarities to non-accidental injuries (NAI) in children” (Munro and Thrusfield, 2001).

Munro and Thrusfield presented four basic “cruelty” types, which are applicable to both children and animals: physical abuse, neglect, sexual abuse, and emotional abuse.

This study has helped the veterinary community and law enforcement to identify and document animal abuse.

Classifications of abuse

In 2016, the Federal Bureau of Investigation began implementing a national program that includes four types of animal abuse in the Uniform Crime Reports used by thousands of local law enforcement agencies:

1. **Simple or Gross Neglect**
2. **Intentional Abuse and Torture** (physical abuse)
3. **Organized Animal Abuse** (dog fighting and cock-fighting)
4. **Animal Sexual Abuse** (also known as bestiality or zoophilia)

In addition to the four classifications above, two other abuse types are included in this manual for consideration and documentation:

5. **Ritualistic Abuse** (killing or torturing animals in ceremonial rituals)
6. **Emotional Abuse**

NOTE: *The field of veterinary forensics and the scientific study of animal well-being are evolving; the classifications listed above may also change and evolve.*



Reporting Role

3 P's: Prevent, protect, promote

Reporting animal cruelty accomplishes three main goals:

- prevention of animal suffering
- protection of animals and humans
- promotion of public health

Reporting triggers an investigation

Reporting a suspicion of animal cruelty is important because, as the American Animal Hospital Association cited in its 2015 position statement about animal abuse, reporting suspicions “will trigger an investigation” — which ultimately allows for the *prevention* of cruelty and *protection* of animals and humans. See pages 37-38 for the AAHA and AVMA position statements.

When in doubt, report

While reporting suspected or known animal cruelty may feel difficult to do at first, it is the ethical and correct action to take — whether or not it is required by law.

Mandated reporting

Veterinarians who are licensed in Massachusetts are mandated reporters of *known or reasonably suspected* cruelty as it pertains to all animals. See statute below.

Massachusetts General Laws (M.G.L.)

Chapter 112, § 58B — Reports of suspected acts of cruelty to animals; veterinarians, immunity from liability; failure to report

“A veterinarian who, while in the normal course of business, observes an animal whom such veterinarian knows or reasonably suspects has been the victim of animal cruelty prohibited under sections 77 or 94 of chapter 272 shall report said suspected animal cruelty to a police officer or special state police officer appointed under section 57 of chapter 22C.”

For immunity from liability, see page 143.

For failure to report, see pages 32 and 143.

For definition of animal under MA law, see page 48.



When in doubt, report

While reporting suspected or known animal cruelty may feel difficult to do at first, it is the ethical action to take – whether or not it is required by law.





Reporting Animal Cruelty

what is your role?

- What if you are not mandated to report, what can or should you do?
 - You should do something!
 - If you have a veterinarian on staff or work closely with a veterinarian you can bring the animal to be examined
- Animal Control Officers
- Shelter and Rescue employees
- Connections/Relationships
 - Local ACO
 - Local police department
 - The Law Enforcement Department of both the Animal Rescue League of Boston and the MSPCA



Myths and Misconceptions

Factors that inhibit reporting

Sometimes veterinarians do not report suspected or known animal cruelty. At one time, physicians in human medicine were reluctant to report abuse.

Some reasons for not reporting:

- a misconception that the veterinarian must be positive that an animal has been the victim of cruelty before reporting it to the authorities
- fear of offending, alienating, or stigmatizing clients, and fear of losing clients if a veterinarian becomes known for reporting such cases

NOTE: *The opposite can occur. Those who report suspected cruelty against animals are respected by community members.*

- not believing that a client would “bring in” an abused pet for treatment

NOTE: *A 2001 study by veterinary pathologist Helen Munro and veterinary epidemiologist M. V. Thrusfield showed that perpetrators do present abused animals for treatment.*

- lack of confidence in ability to recognize signs of cruelty, neglect, and abuse
 - close association to client (conflict of interest)
 - wanting to remain anonymous
 - lack of training and knowledge of the law and not knowing to whom to report
 - lack of confidence in local officials or frustration about not knowing the outcomes
 - wanting to educate only
- NOTE:** *Legal intervention can impose conditions, including supervision or mandatory re-examinations of the animal.*
- a mistaken belief that the veterinarian must have evidence that the neglect or cruelty was deliberate or intentional
 - time constraints



Reporting Animal Cruelty

When you report suspected animal abuse, you may not only be saving the life of the animal, but also may be preventing violence directed at vulnerable people.





Classifications of Abuse

Signs of maltreatment can vary based on the type of crime.

1. **Simple or Gross Neglect**
2. **Intentional Abuse and Torture** (physical abuse)
3. **Organized Animal Abuse** (such as dog fighting and cock-fighting)
4. **Animal Sexual Abuse** (also known as bestiality or zoophilia)
5. **Ritualistic Abuse**
6. **Emotional Abuse**

NOTE: *Some of the terms above are not specifically defined in law but the acts or omissions of care are covered under the definition of cruelty.*

FBI classifications and tracking

The top four classifications on the left will now be used by the FBI and some law enforcement agencies to track animal cruelty. As crimes against animals continue to be researched and documented within veterinary forensic science and are further recognized within law, these classifications may evolve.

**“At the request of the National
Sheriffs’ Association and the
Animal Welfare Institute,
an animal cruelty category has been
added to the NIBRS ...”
(Data collection began January 2016.)**

– Federal Bureau of Investigation

NIBRS stands for National Incident-Based Reporting System. It is used by law enforcement agencies in the United States for collecting and reporting data on crimes.

Source: Federal Bureau of Investigation (www.fbi.gov).



1. Simple and Gross Neglect

Neglect will likely be the most common form of animal cruelty a veterinarian encounters.

Neglect is an act, often of omission, signifying a lack of care. A failure to provide the basic necessities of life (e.g., shelter, food, necessary veterinary care, and affection) can create pain and suffering for the animal.

Neglect may result from a variety of psychological conditions, such as ignorance, laziness, greed, apathy, caregiver stress, poverty, passive-aggressiveness, and other factors.

Severity and duration

The veterinary forensic examination can provide useful information about the severity and duration of this type of maltreatment. For instance, an embedded collar can give insight into how long the condition went unrecognized. Matting of hair resulting in urine burns to the skin or overgrown or ingrown nails can document a chronic deprivation of needs.

Multiple animals

A veterinarian may also be exposed to severe (gross) forms of neglect involving multiple animals, such as hoarding or neglect found in some large-scale commercial dog- and cat-breeding facilities.



Starvation of adult female dog named Jasmine. Weight recorded as 14.7 lb. when presented; increased to 25 lb. 24 days later. Not all emaciation is a result of starvation. Be certain to rule out any underlying medical condition, such as chronic hookworm parasitism/IBD, intestinal lymphosarcoma, parvovirus, or exocrine pancreatic insufficiency. Use Body Condition Score in report.
Source: Reisman, DVM, ASPCA.

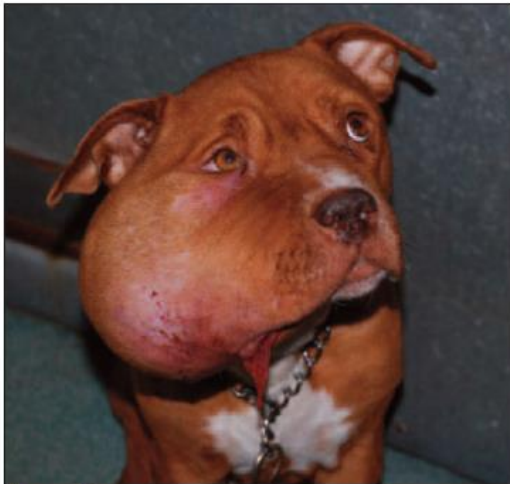
Source: Data from presentations by Touroo, ASPCA (2016); Lockwood, ASPCA (2016).



Injuries to ears from fly bites.



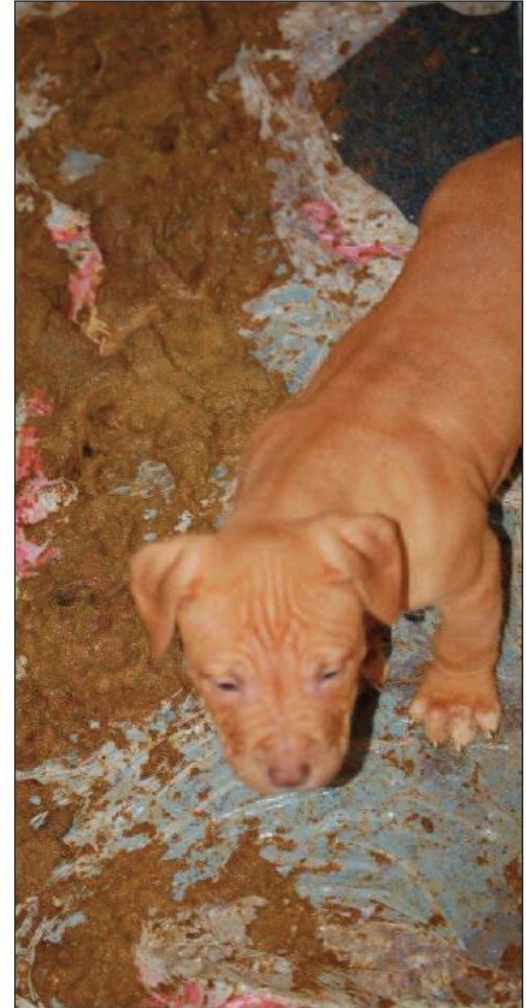
Chronic upper-respiratory disease.



Untreated tumor.



Untreated infection.



Lack of sanitation can contribute to disease and illness.

Photos: top left: USDA; top middle: McCargar, DVM; bottom left, bottom middle, and far right: Animal Rescue League of Boston.

2. Intentional Abuse and Torture

Physical Abuse

Physical abuse is non-accidental physical injury, also referred to as intentional abuse. The infliction of these injuries causes unnecessary pain and/or suffering and is considered one of the most important diagnoses, as it may be a matter of life and death for the animal. Examples may include:

- blunt-force trauma such as contusions, abrasions, lacerations, and fractures, which could be caused by hitting, kicking, throwing, beating, or other acts
- sharp-force injuries
- thermal- and chemical-burn injuries
- gunshot and projectile injuries
- asphyxia and drowning
- poisoning
- other intentional acts

Examination considerations

Careful documentation of the severity, frequency, duration, and history of these types of injuries is important. With thermal- and chemical burn injuries, an estimate of the degree of restraint is also necessary to give evidence of intentionality. With drowning victims, look for signs of struggle.

Source: Data adapted from Touroo (2016); Lockwood (2005, 2016).



Physical-assault head trauma resulting in brain injury. ASPCA Animal Hospital, Reisman.



Five month-old puppy with lameness and left femoral fracture; previous medical history showed fractures of femurs and neck and healed rib fractures. Reisman, ASPCA.

3. Organized Abuse

Organized abuse refers to dogfighting, cock-fighting and other activities that use animals to fight. These illegal crimes are referred to as “blood sports.”

In Massachusetts, animal fighting has been singled out for special attention by the creation of separate statutes which address this crime. The general prohibition against animal fighting is set forth at **Massachusetts General Laws c. 272, § 94**. See page 50 for this law and related sections.

In addition to animal cruelty, these types of crimes are associated with other offenses, such as drugs, firearms, and illegal gambling.

Animal fighting typically involves a large number of animals. A veterinarian at a clinic may not be exposed to these crimes; however, an animal may be presented to your clinic by law enforcement for evaluation and interpretation of evidence.

NOTE: *Animal fighting is also a violation of federal law found at Title 7, United States Code, § 2156. The federal law defines “animal fighting venture” as any event, in or affecting interstate or foreign commerce, that involves a fight conducted or to be conducted between at least 2 animals for purposes of sport, wagering, or entertainment. This means that an animal or animals which were, for example, transported from New Hampshire to Massachusetts for the purpose of fighting, would be a violation of federal law.*



Fighting cock used in Minnesota cock-fighting case. Photos: Minneapolis Police Department.



How to Start

Create standard operating procedures

Recognizing animal cruelty and knowing how to report it require standard operating procedures so people know what is expected of them — what to look for, what to say, whom to tell, when to act, where to go, and why.

Principles and steps

Use the principles and steps at right and on the following pages as a guide for developing procedures and training within your practice.

Guiding Principles

1. Dial 911 if you are concerned about safety.
2. Triage patient, if necessary.
3. Remember that everything you do, write, and say is likely to be disclosed to law enforcement authorities and to the accused (who may be your client).
4. If possible, have another veterinarian (or witness) document his or her observations and assessments. He or she may support or contradict your findings — either way, it is beneficial and will lead to a well-documented conclusion.
5. Document everything that the client tells you when explaining the animal's condition, including different versions of the explanation.
6. Conduct a thorough examination of the animal.
7. Report your suspicions to law enforcement or an agency with jurisdiction to handle these types of crimes. Document to whom you reported and when.
8. Follow procedures after reporting, such as not talking with media, completing written statement of findings, adhering to chain of custody of evidence, etc.

Right: Reprinted from "Colorado Veterinary Medical Association Protocol for Mandatory Reporting of Animal Cruelty and Animal Fighting," by Diane Balkin, Esq. (2007).

Five Key Steps: Establishing Standard Operating Procedures (SOP) for the Reporting of Suspected or Known Animal Maltreatment

When suspecting or witnessing animal maltreatment, such as neglect, cruelty, or abuse, at a clinic or practice, the veterinarian has access to the client, his or her history, possibly the animal's history, and other factors that must be included in the veterinarian's assessment. This situation is slightly different from a cruelty case in which the veterinarian has been asked to assist law enforcement at a crime scene. It's important to set up and follow an approach so everyone in the practice understands what is expected of them.

Be prepared to report the incident (and gain help from law enforcement) at any time during the client visit.

PREPARATION
for reporting

CONVERSATION
and
OBSERVATION

MEDICAL
EVALUATION
and
TREATMENT

DOCUMENTATION
and
PACKAGING

CONSULTATION
and
REPORTING



2. Know Where to Report

Animal cruelty is a crime. Get to know local law enforcement. Depending on your jurisdiction, the investigation of cruelty complaints (criminal statutes) can be handled by:

- Local Town or City Police Department
- Special State Police Officers for the Animal Rescue League of Boston
- Special State Police Officers for the MSPCA (Massachusetts Society for the Prevention of Cruelty to Animals)
- Massachusetts State Police

See link and script below for further contact information:

- **National Link Coalition: Who do I call?**
www.nationallinkcoalition.org/how-do-i-report-suspected-abuse/Massachusetts

SAMPLE SCRIPT TO VERIFY CONTACT NAMES

"Hello, my name is _____ and I'm a _____ (e.g., veterinarian, vet technician) at _____ clinic. Is there someone in your department or office who handles crimes against animals? Can you provide us with his or her name? Thank you."

WHOM TO CONTACT

Fill in information for your contacts, and save for future reference.

POLICE DEPARTMENT

City _____

Contact name _____

Phone number _____

Email _____

After hours contact _____

ANIMAL RESCUE LEAGUE OF BOSTON

Phone number: 617-226-5610

Email found on website:

www.arlboston.org/protection/law-enforcement

MSPCA

Phone number: 617-522-6008

Email: mspca.org/cruelty-prevention

Website: www.mspca.org

What law enforcement needs from you

Every case of suspected animal cruelty can vary based on the species, type of crime, and number of animals involved. The point is to create standardized processes so that you, as a veterinarian, and law enforcement know what is expected and can minimize potential problems.

Law enforcement wants your help. The box (at right) lists a few of the needs from their perspective.



TIPS WHEN WORKING WITH LAW ENFORCEMENT

- 1. Provide clear documentation**
Document everything and be detailed. Take photos.
- 2. Follow direction**
Law enforcement has ultimate jurisdiction over a case. What you do or don't do influences their case. Do not literally or figuratively wander off and possibly destroy evidence. If you don't know what to do, ask. If you see something that law enforcement should consider, such as a medical condition, drug, or supplement, tell them.
- 3. Maintain good communication**
Stay in touch before, during, and after the case.
- 4. Don't be in a hurry**
Recognize that it may take time to compile evidence or participate in a case, especially if more than one animal is involved. Treat each animal as a victim.
- 5. Tell the story; keep within your expertise**
What is the health of the animal? Did pain, suffering, or death occur? Your role as a veterinarian is not to determine neglect, cruelty, or abuse, but to provide medical findings that may prove guilt or innocence.

Source: Rick Giese, Investigator, Pine County Sheriff's Office.

Reasons for case failure

Failing to establish and follow protocols could hurt a case.

1. Failure to report immediately

Time can change the evidence: an injury could heal, the animal could go missing, the dehydrated animal may become hydrated, or the animal could be groomed — if not reported immediately.

2. Failure to document or take photographs

Be certain to describe the injury and pain or suffering and other details, such as “dog couldn’t walk due to emaciation.” Both before and after photographs are needed.

3. Contaminated evidence

Evidence could be contaminated by cleaning up wounds, grooming a matted dog, trimming nails, or submitting the animals for a necropsy before the wound evaluation.

4. Giving the suspect a defense

Never speculate, i.e., “This could be due to...” The defense may use these statements against you in a court of law.

5. Lack of witness accountability

A witness may not be available; he or she may not be willing to give a statement or may change his/her mind. This is why it is important to document the initial story by the client.

Source: Lindsay Herron, Sergeant, Minneapolis Police Department.



Before medical care and grooming. Take photos immediately. If no “before” photo is taken, ability to show prior condition is lost.



After medical care and grooming. Both photos: Animal Rescue League of Boston.

People lie

Just because the person brought the animal to the clinic for care does not mean that he or she is not doing something wrong. As law enforcement knows well, people lie. My animal...“fell down the stairs and broke his leg.” “Got hit by a car.” “Sat too close to the radiator and got burned.” “Attacked me, so it was self-defense.” “Was sick, so I put her out of her misery.” As the person tells the story, you may suspect something is wrong. You may start noticing discrepancies in answers. Be calm and objective. Suspecting this person of animal cruelty can feel like a moral dilemma. Remember, there may be anger-management problems or other factors that contributed to the suspected abuse. As with domestic abuse, the cycle of violence is anger, then guilt.

POSSIBLE QUESTIONS TO ASK CLIENT

- Who had access to the animal (including other animals)?
- What did the animal have access to?
- When did the event occur?
- Where did the event occur?
- How did it happen?
- Why did it happen?
- Where was the animal found?
- What was present around the animal (such as blood or bodily fluids)?
- What were the initial symptoms of the animal?
- Did the animal have access to the outside?
- Was the animal outside unattended?
- Was the animal confined outside and how?
- Was a gate present on the fence, and was it locked?
- If indoors, what is the layout of the home and where are the stairs located (if there are stairs)?
- What food does the animal eat (i.e., brand, dry, or canned)?
- How often is the animal fed?
- When did the animal last eat or drink?
- When did the animal last have access to food or water?

Reprinted from Recognition of Abuse and Hospital Protocols, by Melinda D. Merck, DVM.



Red Flags: What to Watch For

The suspect will have a story to tell. Compare the story with clinical findings to make an informed decision.

Look for discrepancies and inconsistencies

Phil Arkow and Dr. Helen Munro provided the following reasons for suspecting abuse. None of these reasons alone is diagnostic; it is the combination that raises suspicion. (Reprinted from *The Veterinary Profession's Roles in Recognizing and Preventing Family Violence: The Experiences of the Human Medicine Field and the Development of Diagnostic Indicators of Non-Accidental Injury*, 2010. Material appears courtesy of the publisher, Purdue University Press. All rights reserved.)

Aspects in the history

- The history is inconsistent with the injuries.
- The history is discrepant (i.e., changes in the telling or the story varies from person to person).
- A previous injury or death has occurred in another animal in the same household, or belonging to the same owner.
- No explanation is offered for the injury.
- Lack of motor-vehicle accident or any other possible accident.
- Family violence is known or suspected.

Implication of a particular person as the perpetrator

- The owner may actually admit injuring the animal.
- The owner may name another person as the culprit.
- The owner may state the injuries are due to non-accidental injury (NAI) but refuses to give a name.
- The lodger/neighbor/stranger may be blamed.

Type of injury

- Repetitive injuries are highly suspicious.
- Certain injuries may cause suspicion because they are unusual, or because they do not “fit” with the owner’s explanation.

The behavior of the owner arouses concern

- He or she may be aggressive on questioning.
- He or she may show a lack of concern for the pet.
- He or she may behave oddly.

The behavior of the animal arouses concern

- The animal may be frightened of owner.
- The animal may be happier when separated from the owner (e.g., when hospitalized).



At the scene

Veterinarians may be asked by a client to visit a property — where they may be exposed to a situation where animals have been treated cruelly or are endangered. This visit may reveal information that must be documented and reported. Treat the animal if needed; remember the animal is evidence.



Donkey with curled hooves; euthanized. Conduct full examination, documenting medical condition and duration. Photo: Pine County, MN.



Dog strangulated after jumping over fence. Dangerous tethering. Photo: Animal Rescue League of Boston.

Evidence Collection

What to collect

An evaluation for animal neglect, cruelty, or abuse uses many of the same processes from a detailed physical examination.

Use an examination record, such as the one on the next page, to gather and record information during the examination. Any medical abnormalities, additional risk factors, and signs of pain or suffering must be fully documented.

Animal identification

If you suspect cruelty, give the animal a unique number which can be used for the tracking and keeping of information. This number may be assigned by the veterinarian or law enforcement (Touroo, ASPCA, 2016).

Microchip

Even if you know the client, be sure to scan the animal for a microchip — scan more than once.

NOTE: Links to sample forms, documents, resources, and other materials can be found on page 161.



For proper record-keeping, assign the animal an identification number.
Photo: Animal Rescue League of Boston.

8. Take tests, radiographs, photos

Gather further medical data

As with any client visit, you must ask permission and get consent to conduct certain tests on the patient.

The client may be resistant. Consider offering the tests for free. The money spent on exams and tests may corroborate or negate your findings (Balkin, 2007).



Take tests

Laboratory tests and diagnostic methods

Document all laboratory tests performed, such as:

- blood analysis
- urine analysis
- CBC/Chem
- serum chemistry
- fecal analysis
- ultrasound
- cultures

TIP: Neglected animals have a higher incidence of anemia, parasitism, and hypoproteinemia (Arkow, 2011).

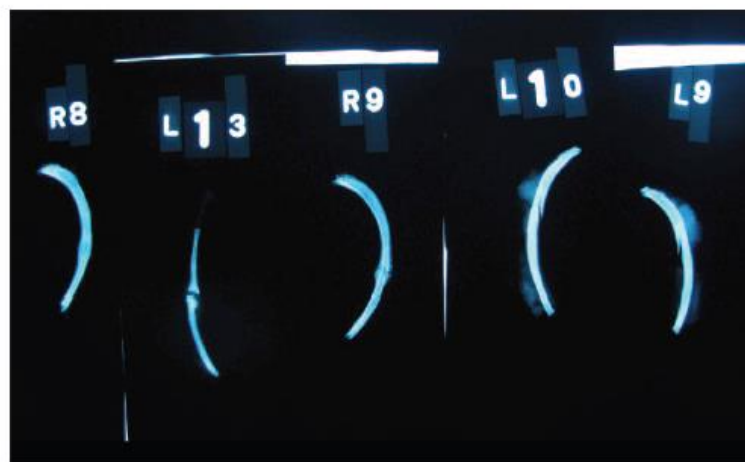
Take radiographs

One of the most common signs of animal cruelty are fractures in different stages of healing. Radiographs can provide this proof and show additional injuries not readily apparent. Take a full body radiograph, or obtain several radiographs that cover the entire body.

TIP: *Pulmonary contusions develop over a 24-to-36 hour period. Radiographs taken immediately after the accident will not show the true extent of the injury (Reisman, 2012). Consider if additional radiographs can and should be taken.*



X-rays. An air-rifle pellet was identified in the cat shown above and the pellet was subsequently recovered during the necropsy. Source: Amo Wuenschmann, DVM, U of M.



Fractures. Radiographic examination of multiple ribs of this cat revealed that fractures occurred on multiple occasions during the animal's life. Wuenschmann, DVM, U of M.

Take photographs

Photos are necessary for both living and deceased animals. Photographs of the animal are critical to a case.

Photo considerations

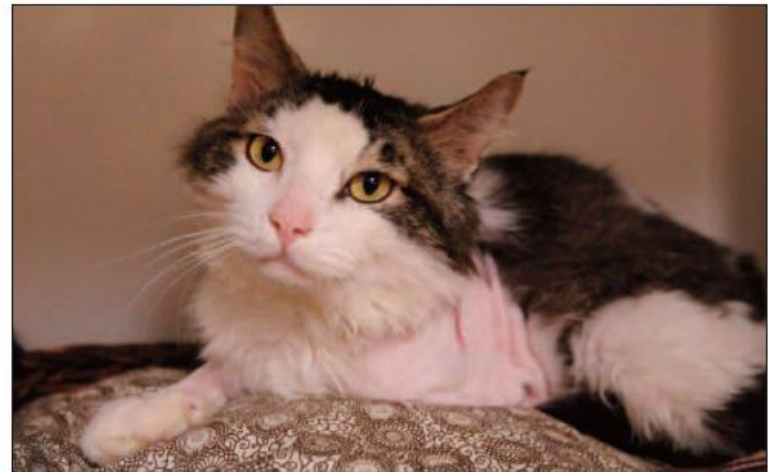
1. Do not delete any photographs even if they are out of focus or erroneous. If the case goes to trial, the defendant's attorney could argue that some photos are missing.
2. Camera should be parallel or at a 90-degree angle to the animal in order to prevent distortion.
3. If using a point-and-shoot camera, be no closer than four feet from the animal. Use optical zoom for close-ups.
4. Wear gloves when taking forensic photos.

Suggested statements

In a clinic (versus at a crime scene), it may be unusual to take photographs. The client may be suspicious of your actions. Below are some possible statements for taking photos while in the presence of a client.

- "This is a very interesting-appearing lesion. Could I take a picture to send to some colleagues for input?"
- "I like to document before and after photos for wounds like this; it's nice to see the improvement on film."
- "I want to put this picture in Fluffy's file in case I am not here when you come back for a re-check."

Source: McCargar, 2016.



Cat caught in leg-hold trap. Leg amputated. Where possible, take photos before and after treatment to show improved condition. Photos: Animal Rescue League of Boston.

Photo process

1. **Data card** – Create a data card as the first photo and list the case number, location, animal identification, and date. Next, take a photo of the animal beside this data card. Subsequent photos do not need the card. The card can be a Post-It note or index card — so long as it is readable.
2. **Number** – Take at least six overall photographs (or more), including right lateral, left lateral, cranial, caudal, dorsal, and ventral. Take full-body, mid-range, and close-up shots. Use a macro lens for a close-up so the image is not blurred.
3. **Findings** – Photograph any abnormal findings (i.e., wounds). Use a scale for sizing. Take before and after photos if treatment is performed.
4. **Shaving** – Hair and feathers may conceal injury, so you may consider shaving the animal (with client permission).
5. **Scale** – If you're using a scale for close-ups or to highlight an item, take a photo with and without a scale. (This is done to show that you are not covering anything with the scale.)
6. **Video** – Video recording could be used to document an animal's gait, vocalizing pain, excessive thirst, or other behavior, if applicable.
7. **Multiple animals** – Repeat the above for each animal.

Source: Balkin, *Colorado Protocols* (2007); Touro, ASPCA (2016).



Create a data card with key information. Make it your first photo. Photo: ASPCA.



Scales can be used to highlight a wound or injury. Make sure focus is clear. Photo: ASPCA.



Cover Story: Turtle, the inspiration

On December 14, 2009, the Animal Rescue League (ARL) of Boston responded to a call about an injured dog in Hyde Park.

ARL found an emaciated and gravely wounded female pit bull, later named Turtle because she was discovered near Turtle Pond Parkway, laying curled up and motionless in the cold. She was extremely weak and covered with scars and open wounds.

Turtle's injuries were consistent with her being used as a "bait dog" to train fighting dogs. Bait dogs are commonly discarded after a life of cruel treatment, and she had obviously been left for dead.

Turtle was transported to Tufts Veterinary Emergency Treatment and Specialties (TuftsVETS) where doctors stabilized her condition. She successfully underwent surgery to close numerous bite wounds, and she received treatment for broken teeth, intestinal parasites, fleas, and nutritional deficiencies. Once Turtle recovered from surgery, she faced a long and arduous period of physical and behavioral rehabilitation.

Turtle was adopted by one of the Tufts veterinarians who cared for her, and now has an amazing life. Turtle is a certified therapy dog, visiting children and adults in group living situations.



Photo above and on next page are of Turtle: Animal Rescue League of Boston



Turtle, today



Thank you for using your scientific knowledge and skills
for the protection of animal health and welfare in Massachusetts
and in the prevention and relief of animal suffering.



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THE ROLE OF THE VETERINARIAN

- The Animal Rescue League of Boston
www.arlboston.org/crueltymanual/
- The Cummings School of Veterinary Medicine at Tufts University
<http://vet.tufts.edu/center-for-animals-and-public-policy/>

Email: eschettino@arlboston.org

Phone: 617.226.5692

