

TRAINING OUTLINE

Animal Abuse and Family Violence: Partners in Crime A Self-Guided Training Presentation for Law Enforcement Officers

Offered by
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PART 3: MANAGEMENT OF ANIMAL ABUSE CASES

Animal abuse, cruelty and neglect cases are highly problematic, particularly when they are linked with incidents of domestic violence, child abuse and elder abuse. In this segment, we explore techniques for investigating and filing charges in animal abuse cases, and community resources who may assist you with this highly specialized form of law enforcement.

V. Animal Abuse Case Management

A. Animal CSI: Investigation

1. Getting technical assistance

48 – When investigating suspected animal cruelty, either as an independent incident or in conjunction with a domestic violence case, follow your standard procedures of securing the crime scene, searching and seizing, preserving evidence, interviewing, detailing your findings, writing a report, and filing charges as you would with any other crime. Due to the specialized nature of animal cruelty crimes, it may be necessary to bring in an outside expert to assist you, such as the Animal Control Officer of the jurisdictional city, township or county, or an agent from the city, county or state Humane Society or SPCA. In addition to the domestic violence intelligence you gather from operational dispatch, Animal Control or the humane officer may be able to inform you whether there have been prior animal cruelty or animal control calls at the residence, or if there are pit bulls or other animals on the premises which might pose a danger to you. These officers can also assist you with capture and restraint of animals, relocating them for possible adoption into new homes, and disposal of dead animals on the property. It may also be necessary to enlist the help of the animal shelter and/or a veterinarian.

2. Bringing in outside support -- veterinarian

49 – It may be necessary to contact a veterinarian. This might be the victim’s vet, who can document prior histories of the animals involved; or an outside, independent veterinarian, who can provide immediate first aid, assist with forensics, conduct a necropsy, and serve as an expert witness should the case go to trial. A veterinarian might:

- document the physical condition of animals associated with the cruelty case, changes in their condition, and their response to treatment;
- describe reasonably prudent actions and standards of care that could have been taken to prevent disease, injury or death;
- determine the cause of death, cause and sequence of injuries, and timing of pre- or post- mortem wounds;
- identify and preserve physical evidence linking the suspect to the animal’s injuries (for example, recovering ballistics, descriptions of knife wounds, types of ligatures, etc.)

In recent years, veterinary forensics has become a defined specialty, and many veterinarians are receiving this type of training to assist law enforcement officers in cruelty cases. For more detailed information and procedures regarding veterinary forensics, contact Melinda Merck, DVM, at the ASPCA in New York: melindam@aspc.org

3. Bringing in outside support – animal shelter

50 – It may be necessary to have the Humane Society, SPCA or animal control shelter impound animals or provide short- or long-term safekeeping. This may be a challenge if there are a large number of animals involved, or if there are fighting animals, wildlife, livestock, horses, or unusual species. The need for shelter may be critical in a domestic violence scenario: as many as 48% of domestic violence victims say they will not leave their abusers for fear of what might happen to the animals in their absence. It is very important to establish lines of communication with animal shelters in advance to be able to provide for these animals when the need arises, and to reassure the victim that her animals will be taken care of.

4. Animal shelter – options

51 – Several options exist for these animals. They may be surrendered to the animal shelter, where they may be made available for adoption into new homes. The animals may be declared to have been abandoned, and likewise placed for adoption. Large numbers of animals may be impounded on the premises and cared for under shelter supervision. Animals that are too unhealthy or aggressive to be adopted may have to be euthanized. Many women’s shelters have established referral programs with animal shelters, rescue groups, and veterinarians to provide foster care for the pets while their owners are in safe houses and transition housing: these programs are called “Safe Havens”. Several women’s shelters have worked with the American Humane Association to establish “PAWS” programs, in which animal kennels are built on-site at the safe house so women can bring their pets with them.

B. Probable Cause

52 – As with any other crime investigation, animal cruelty charges require establishing Probable Cause. As you know, Probable Cause is a well-grounded belief based on identifiable, specific and objective facts that would cause a person of reasonable caution at the time to believe that a person is violating, is about to violate, or has violated the law. During an animal cruelty investigation, particularly in conjunction with a domestic violence investigation, you will have to determine probable cause through locating and evaluating evidence.

C. Assessment of dangerousness in perpetrators

53 – While all acts of animal cruelty, abuse and neglect are crimes, some incidents are considered more serious than others, particularly when the animal abuse is linked to a domestic violence investigation. Dr. Randall Lockwood of the American Society for the Prevention of Cruelty to Animals has identified a number of risk factors in animal cruelty cases that most frequently suggest that the perpetrator is at greater risk of committing interpersonal crimes. These include:

- Victim vulnerability: for example, the animal is perceived to be very vulnerable, based upon its size, age, or degree of harmlessness
- The number of victims involved: several animal victims being harmed, either sequentially or in a group, suggest a perpetrator with more callous disregard for animals' feelings
- The severity of injuries inflicted
- The use of fire in the abuse, particularly while the animal is still alive
- Repetitive injuries, such as multiple stab or beating wounds, on an animal victim
- Inflicting multiple forms of injuries on an animal, for example, both stabbing and burning
- Binding or otherwise physically incapacitating the victim. Perpetrators seem to be particularly fond of using duct tape on animals.
- An act of torture that was prolonged
- Committing the crime despite a high risk of detection or being observed ...

54 – *(continued)*

- Whether the perp committed other illegal acts at the scene
- The individual was the instigator of an act that involved multiple perpetrators
- Animal cruelty was used to threaten, intimidate or coerce a human victim
- The animal was subjected to mutilation or postmortem dismemberment
- The animal was sexually assaulted or mutilated in its genital areas, or the perpetrator indicated he received sexual arousal as a result of the abuse
- The perpetrator documented the act of abuse through photographs, video or audio recording, or diary entries. Often, perpetrators will relive the experience by watching these “snuff” videos or photos, and share them with friends. Also, tapes or photos of the torture, or pieces of the animal, may be sent to the human victim as a form of emotional abuse and coercion.

Researchers have found that the most dangerous animal abusers are those whose acts of animal cruelty are ***persistent, severe, and without remorse or restraint.***

D. Risk Assessment: Animal abuse in a domestic violence context

55 – In addition to investigating animal cruelty as a stand-alone crime, an officer may have to consider acts of animal abuse perpetrated within the dynamics of power and control so common in domestic violence. Women often have strong emotional ties to their pets and are often their primary caregivers. This makes women especially vulnerable to abusers who exploit these attachments. Batterers often kill, harm or threaten animals to demonstrate their power and demoralize their victims. By harming the animal, the batterer controls his victim and warns her that she could be next. She becomes fearful of what might happen to her animals if she leaves, and many victims do not escape for this very reason.

For many domestic violence victims, pets are a part of the family, and the emotional support that pets provide women in times of fear and isolation is not something to be overlooked. The safety of a pet must also be taken into consideration when victims are faced with the decision to leave an abusive situation.

Women and children are placed at higher risk if they delay leaving their abusive partner to ensure their pets' safety, and the statistics are dramatic: as many as 71% of women in safe houses report their animals have been harmed. Researchers have also found that domestic violence batterers who also abuse animals are more dangerous, and are more likely to employ sexual violence, marital rape, emotional violence, stalking, and controlling behaviors. **In these cases, your observations of the family's interactions, and the testimony of victims and witnesses, can be crucial in establishing the details of a case and a pattern of family violence that includes multiple human and animal victims and repeated victimization.**

E. Interviewing and investigating at the Domestic Violence/Animal Cruelty Scene

56 – When arriving at a potential domestic violence scene, the officer should conduct the investigation in accordance with standard operating procedures, while being on extra alert for animals which might have been abused or which might attack the officer and other parties at the scene. Your procedure should include:

- Describe the location of human and animal victims upon arrival.
- Administer first aid to the human victim or contact EMS, as appropriate, if needed; an Animal Control Officer, SPCA or humane society agent or veterinarian may be needed to provide first aid to the animals or remove the animals.
- Document statements made by the victim or witnesses, including references to how the animals were treated or acts of violence against them.
- Describe in detail the injuries to any human and animal victims.
- Physically separate the victim and the suspect in different rooms and interview them independently.

- When documenting the relationship between the suspect and victim, ask questions about the suspect's history and relationship with the animals, such as who cared for them or who paid their food and vet bills. Asking questions about the animals and their welfare is an effective tool for initiating a conversation safely, for showing compassion, and for generating background information to help you establish the dynamics and situation of the family.

57 - Include relevant information about the animals' history and abuse in your report:

- Document if there is a history of animal abuse in addition to domestic violence, child abuse or elder abuse. Prior incidents of animal cruelty may be relevant.
- Document if there are any temporary restraining or protection court orders. Many states now specifically allow courts to include pets in domestic violence protection orders.
- Determine whether there are children or animals likely to be endangered, or if any children witnessed the incident. In some states, animal cruelty perpetrated in the presence of a child is a separate and more serious offense.
- Document the names, ages, breeds, species, and gender of any animals affected by the incident. The presence of deceased animals on the premises may also be significant.
- Include photographs of animals, and of injuries to them, when gathering photographic evidence. An examining veterinarian may also provide photographic, x-ray and forensic evidence.
- And remember: Include everything in your report: if it isn't in the report, it did not happen!

58 – Many people are more comfortable talking about the injury or incident involving the animals than about their own troubles. Because people like to talk about their animals, asking about animals is a safe, neutral way to start a dialogue. Starting your inquiry with questions about the animals may help diffuse a tense situation, stimulate a conversation, and open the door to other important pieces of information. Especially in a domestic violence scenario, your expressing understanding, support and concern for the welfare of her pets may help establish trust with the victim, earning her confidence. It is also an effective way to warn her that *if he's hurting the animals, she will be next*.

F. Challenges in cruelty cases

1. Legal concerns

59 – The investigation and prosecution of animal cruelty cases are particularly challenging, especially when domestic violence is also involved. These challenges include several legal concerns:

- **Standing:** animals are considered by the law to be property without legal standing; however they evoke strong emotional feelings from the public and victims. *No battered woman ever ran back to an abuser to protect her toaster.* They will, however, stay with the abuser to protect their pets.
- **History:** Many animal cruelty laws date from the 19th Century and were designed to protect working horses rather than companion animals.
- **Lower priority:** Most animal protection laws are misdemeanors, resulting in lower priority for law enforcement, prosecutors and judges. However, cruelty cases are often highly charged and generate considerable public and media sympathy.
- **Intent:** Building evidentiary findings to prove that maltreatment occurred is notoriously difficult: trying to establish that the suspect intended to harm the animal is even more so.
- **Terminology:** animal welfare statutory language uses “cruelty,” while the child protection, domestic violence and adult protection fields use the more neutral terms “abuse” or “neglect” which imply that maltreatment occurred without requiring an intentional motive.
- **Witnesses:** animal cruelty cases often do not have a victim who can testify.
- **Trivialization:** cases involving animals are often trivialized or made fun of by law enforcement, prosecutors, and judges. The connections between animal abuse and human violence, however, demonstrate that animal cruelty cases are also human safety issues and cannot be ignored or marginalized.

2. Emotional concerns

60 – Other challenges are of an emotional nature. As in many domestic violence situations, the victim is often in a highly charged emotional state, fearful for her own safety and for the safety of her children and animals. She may have conflicting emotions regarding the batterer and what might happen to him. She may be in a state of shock and immobilized by physical, financial and other concerns. She may feel that the situation is hopeless. She may feel helpless to effect any change, or she may blame herself. She may feel isolated and think she has no place to turn. Letting her pet her animals may help calm her down.

3. Responding to the challenges

61 – All law enforcement officers know that domestic violence cases are highly risky, difficult, and frustrating: they’re “lose-lose” all the way around. However, by looking at domestic violence through the lens of animal cruelty, you may be able to gain the trust and cooperation of the victim and the perp. Strategies that you can use on the scene include:

- Explain that they are safe and that you are there to help them and their family.

- During your interview and investigation, routinely ask questions about whether there are pets in the home and if they have ever been harmed or threatened. Warn her that if he's hurting the pets, she will be next.
- Ask the victim if she has a regular vet, pet-sitter, neighbor, friend or boarding kennel who could care for her animals while she goes to the women's shelter.
- Advise her that many women's shelters can help her find foster care for the pets, so she doesn't have to remain with the batterer just to care for the animals.
- If she gets a protection-from-abuse order, the judge can make the perp stay away from the animals as well as from her and her children.
- Ask if there has been any history of animal cruelty. Animal abuse may be seen by the courts and child welfare agencies as important information in pre-sentence investigation reports, psychological assessments, questions of custody and visitation rights, removal of children, and court-imposed restrictions on the suspect's right to keep animals.
- Work with animal control officers and humane societies/SPCAs to document any history of complaints against the accused. This information can help a prosecutor get the big picture.
- Where there is insufficient evidence to pursue a domestic violence charge, there may be enough evidence to bring animal cruelty charges.

62 – Thinking more preventively, law enforcement agencies can address the animal abuse/domestic violence links in several ways:

- Establish lines of communication with animal protection agencies in advance, so that when a situation arises, you know who to call. These agencies include:

- Your local animal control officers. The National Animal Control Association maintains a list of state animal control associations at http://www.nacanet.org/state_associations.html to help you identify local contacts.
- Your local humane society, SPCA, or animal shelter. You can find a directory of local animal organizations at www.worldanimal.net
- Veterinarians: you can just check locally to find area practitioners. Many state Veterinary Medical Associations maintain an online database of vets by geography, practice specialty, 24-hour emergency services, etc.

63 – When an investigation uncovers other forms of family violence, an extensive network of human and social services agencies is available to assist.

- For **Domestic Violence:** Many communities have sheltering facilities for victims of domestic violence. Information about women's shelters may be found through your state coalition against domestic violence. The National Coalition Against Domestic Violence has a directory of state coalitions with resources to assist battered women at <http://www.ncadv.org/resources/StateCoalitionList.php>

- **Child Abuse:** each state has its own definitions of child abuse and neglect based upon minimum standards set by federal law. Each state has its own child welfare system with specific procedures to receive and investigate reports of possible child maltreatment, provide services to families who need help protecting their children, and provide foster care for children. Reports of possible child abuse and neglect are received by Child Protective Services (CPS) workers who evaluate whether there is sufficient information to warrant an investigation. Each county has a CPS agency within such state departments or divisions as Human & Social Services, or Children, Youth & Family Services. The U.S. Department of Health and Human Services' Child Welfare Information Gateway maintains a directory of state child welfare agencies and reporting hotlines at http://www.childwelfare.gov/can/overview/orgs_state.cfm.

- **Elder Abuse:** Adult Protective Services (APS) is the principal public agency responsible for investigating reported cases of elder and vulnerable adult abuse and for providing victims with treatment and protective services. Usually, the Adult Protective Services Unit, Area Agency on Aging, or County Department of Social Services is the designated agency to receive and investigate these allegations and arrange for services to help protect the victim. The U.S. Administration on Aging's National Center on Elder Abuse serves as a national resource center on the prevention of elder mistreatment, neglect and exploitation and maintains a directory of state APS agencies at www.ncea.aoa.gov.

64 – Another opportunity for collaboration is the Domestic Violence Response Teams. DVRTs have been established in many communities to assist victims with emotional support, safety planning, identifying available resources, reducing trauma to victims and their children, and helping them make educated decisions about their options. These teams often operate as partnerships between local police departments and other community agencies: SPCAs, humane societies, and animal control agencies should be invited to participate in these programs.

65 – Other opportunities include training prosecutors, judges, and probation & parole on the significance of animal cruelty as it affects family violence. Law enforcement and victims' services agencies can also encourage domestic violence victims to include pets in their safety plans. Law enforcement agencies can also compile statewide statistics of cruelty cases to create a database of incidence where animal abuse and family violence were linked.

VI. CONCLUSION

A. Why do people abuse animals?

66 – The reasons why people harm animals are as complex as the reasons why they are violent towards each other. Over the years, many theories have been advanced to explain the psychological underpinnings for cruelty to animals. We now know that animal abuse, like other forms of family violence, is a matter of power and control, and in a domestic violence situation it is often used to threaten, coerce, intimidate or terrorize a human victim.

B. Compelling Research

67 – We also now know that animal abuse is closely linked with other forms of family violence. 13% of intentional animal abuse cases involve domestic violence. Twelve studies have found that as many as 48% of battered women do not escape out of fear for what would happen to their animals should they leave. One study of aggressive offenders reported that 63% of them had deliberately hurt animals as a child. 70% of animal abusers were reported to have other criminal records. 71% of women entering shelters have reported that their batterer injured, killed or threatened their pets. 88% of families being investigated for physical child abuse reported abused animals in their homes as well. And 91% of domestic violence victims whose batterers also abused pets reported physical violence used against them, and 97% reported emotional violence.

C. Conclusion: What you can do

68 – We encourage all law enforcement personnel to take cases of animal abuse seriously, particularly when they are linked to other forms of family violence. In addition to being a crime in itself, animal abuse is very often the “tip of the iceberg” and the first point of law enforcement or social services intervention. Investigation of animal cruelty cases frequently uncovers other crimes and families needing assistance. Become familiar with the animal cruelty laws in your jurisdiction and the personnel who enforce them.

69 – Be aware how pets are often used as pawns by batterers expressing dominance and control over domestic violence victims. And use the fact that people are more willing to talk about their pets than their own issues to your advantage as a way to gain information in your investigations.

70 - Animal cruelty cases are now seen as a serious issue by law enforcement and court professionals. The public gets highly emotional about animal abuse and gives these cases much scrutiny. Animals are part of the family in nearly 60% of American homes. Recognizing the links between animal cruelty and domestic violence can provide an early and timely response to those who are, or who are at risk of

becoming, a threat to the safety of others. It can provide more effective law enforcement, get lowlifes off the street, and better protect the two-legged and four-legged victims of family violence.

71 – Closing title – Contact information

- For More Information

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Websites:

American Humane Association

<http://www.americanhumane.org/human-animal-bond/programs/the-link-of-violence/>

The Latham Foundation

<http://www.latham.org>

Resource Books

Arkow, P. (2003). *Breaking the cycles of violence: A guide to multi-disciplinary interventions. A handbook for child protection, domestic violence and animal protection agencies.* Alameda, CA: Latham Foundation.

Ascione, F. R. (2005). *Children and animals: Exploring the roots of kindness and cruelty.* West Lafayette, IN: Purdue University Press.

Ascione, F. R., & Arkow, P. (Eds.) (1999). *Child abuse, domestic violence and animal abuse: Linking the circles of compassion for prevention and intervention.* West Lafayette, IN: Purdue University Press.

Carlisle-Frank, P. & Flanagan, T. (2006). *Silent victims: Recognizing and stopping abuse of the family pet.* Lanham, MD: University Press of America.

Randour, M. L. & Davidson, H. (2008). *A common bond: Maltreated children and animals in the home -- Guidelines for practice and policy.* Englewood, CO: American Humane Association.

Zilney, L. A. (2007). *Linking animal cruelty and family violence.* Youngstown, NY: Cambria Press.

Articles

Ascione, F.R. (2001). Animal Abuse and Youth Violence. *Juvenile Justice Bulletin*, U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, September.

Chicago Crime Commission (2004). RAV2: Reduce animal violence, reduce all violence: A program to amplify human and animal violence prevention and reduction by targeting dog fighting and animal cruelty. *Action Alert* (August), 1-5

Gullone, E. & Clarke, J.P. (2008). Animal abuse, cruelty, and welfare: An Australian perspective. In, F.R. Ascione, ed.: *International Handbook of Animal Abuse and Cruelty: Theory, Research, and Application*. West Lafayette, IN: Purdue University Press, pp. 305-334.

Lockwood, R. (2000). *Cruelty to Animals and Human Violence*. Arlington, VA: International Association of Chiefs of Police, Training Key # 526.

Lockwood, R. & Church, A. (1996). Deadly serious: An FBI perspective on animal cruelty *Humane Society News*, Fall, 27-30.