

## Detecting & Reporting Animal Abuse

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## Why is this important?

- Violence to animals is not a personal vice needing correction, it is a moral problem for society (Unti, 2008)
- Harming most animals is a crime in all states
- It harms communities
- It can be an indicator of other crime
- It can be a predator of future crime
- It is often tied to mental illness
- It is an anti-social act

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## Why is this important?

- Anti-social behavior is criminal and aggressive behavior that violates the rights of others of major societal norms.
- Anti-social behavior occurs within the context of other anti-social behavior
- If someone cannot take care of a companion animal, can they take care of human family members?

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## Challenging Cases when animals are involved

- Archaic and confusing animal laws
- Issues with reporting
- No animal victim to testify
- Human victims hesitant to testify
- Co-mingled dynamics
- Often circumstantial cases
- Forensic evidence issues
- Animals as evidence
- Opinions about animals (juries, judges, etc.)
- Treatment for youthful offenders
- Community and media response
- Office response and support

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## Trend away from ...

- *It's just an animal*
  - Animals are sentient beings
- *Animals are property with no rights*
  - Animals have rights in your laws
- *This is how we've always done it*
  - Ignoring the situation, turning a blind eye, ignoring the law is not a solution
  - Demographics are changing
  - Society is more educated about animal welfare
- *It's only a misdemeanor*
  - Are you systematically ignoring all misdemeanors?

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## Advantages to Felony Cases

- Convicted felons cannot own a weapon
- Difficult to expunge in some states
- Specialized sentencing and sanctions
  - Counseling
- Affects other disputes (custody, TROs)
- Three-strikes states
- Affects positions of public trust

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What about culture?

What about *“this is how we’ve always treated animals.”*

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"Animal cruelty is more than just a legal issue, it's a community issue. If you improve animal welfare in a community, you improve public safety for everyone."

- Baltimore, Maryland  
Former Mayor  
Stephanie Rawlings-Blake



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**Battered Pet Syndrome**

- Helen Munro (2008) survey of non-accidental injuries
- Compared NOI to animals and children and found similarities
- 404 responding veterinarians
  - 91% acknowledged that NOI exists
  - 195 (48.3%) had seen/suspected NOI in 400 documented cases

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**Types of Non-Accidental Injuries**

- Superficial Lesions (burning, bruising, lacerations, ligatures, nails pulled off, corneal puncture, conjunctival hemorrhage)
- Deeper Lesions (epistaxis, hematoma, strangulation, testicular injury, abdominal muscle rupture, retinal hemorrhage)
- Internal Lesions (collapsed lung, diaphragm/liver/intestinal rupture, intestinal strangulation)
- Fractures
- Brain trauma and paraplegia

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**Battered Pet Syndrome**

- Reasons for suspecting NOI that were similar to BCS:
  - Discrepant history (changes with telling or from person to person)
  - History not consistent with injury
  - Abnormal appearance of the animal
  - Unusual owner behavior
  - Patterns of injury
  - Unexplained injury
  - Repetitive injury
  - Younger animals more like victimized

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**Battered Pet Syndrome**

- Differences from BCS:
  - Family member implicated in the injury by the person presenting the animal for exam
  - Owners of 22 dogs and 3 cats admitted to causing the injury
  - Veterinarians noted family violence in the home as a factor (this has not been done by human doctors)

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## Battered Pet Syndrome

- Munchausen syndrome by proxy
  - 3 types:
    - False illness
    - False illness with fabrication
    - Induced illness
  - Attention seeking
  - Look for: repeat of similar injuries, do symptoms disappear during separation from owner; veterinarian shopping
- Malingering
  - Obtaining vet meds for personal use

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## Types of Animal Abuse



- Intentional Harm
  - Torture
  - Ritualistic
- Neglect
  - Abandonment
  - Foreclosure pets
  - Negligent care
- Hoarding
- Animal Fighting
- Bestiality
- Online crimes against animals

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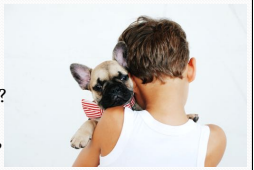
## What to look for?

- Signs of pets
  - Bowls
  - Toys
- Insufficient food/water/shelter
  - Tethered
- Attitude towards pets
- Physical appearance
  - Malnourished
  - Afraid
- Animals running loose
- Fighting instruments
  - Numerous dogs on heavy chains
  - Treadmills
  - Steroids/vitamin injections
  - Fighting areas stained with blood
- Talk to neighbors

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## Talking to children about animals

- Unlock the dynamics in the home
- Changes the focus and conversation
- Allows for better intervention and treatment
- Questions to ask:
  - Do you have a pet?
  - Tell me about your pet?
  - How many pets have you had?
  - Is your pet happy?
  - Do you worry about your pet?
  - Is your pet safe?



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## The state of current laws

- Many based on realities from over 100 years ago (i.e., overloading animals)
- Tacking on new language results in confusion
- Concern about complete overhaul of statutes
- Confusion with language and procedures
  - When can an animal be seized?
  - Who pays for the care of the animal?
  - No evaluation/counseling law

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## Alaska Laws

- AS§03.55.030 = Shooting dogs that annoy wildlife/livestock
- AS§03.55.100-190; AS§11.61.140-145
  - knowingly inflicts severe and prolonged physical pain or suffering to an animal (Class C felony);
  - fails to care resulting in death or severe physical pain or prolonged suffering to the animal;
  - kills or injures due to decompression chamber (felony);
  - kills or injures with poison (felony);
  - knowingly kills or injures an animal with the intent to intimidate, threaten, or terrorize another person;

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## Alaska Laws

- AS§03.55.100-190; AS§11.61.140-145
  - knowingly engages in sexual conduct with an animal, films such activity, induces such activity, or intentionally permits this to occur on premises under the person's control.
  - The court may also prohibit or limit the defendant's ownership, possession, or custody of animals for up to 10 years for convictions under this section.
- AS 11.61.145 = Animal Fighting
  - owns, possesses, keeps, or trains an animal with intent that it be engaged in an exhibition of fighting animals (felony)
  - instigates, promotes, or has a pecuniary interest in an exhibition of fighting animals (felony)
  - attends an exhibition of fighting animals (misdemeanor)

## Alaska Laws

- AS 03.55.100 = Minimum standards of care
  - food and water sufficient to maintain each animal in good health
  - an environment compatible with protecting and maintaining the good health and safety of the animal
  - reasonable medical care at times and to the extent available and necessary to maintain the animal in good health

## Pet Protective Order law

- Some Alaska courts informally included pets in orders before the new law
- Legislation signed into law in 2016 [AS §18.65.510-590]
- Judge allowed to consider the well being of a pet in determining custody in contested divorce proceeding



## How do you report?

- AS 03.55.110
  - A person who believes that cruelty to animals has taken place or is taking place may file a complaint with a public or private animal control agency or organization, the department, or a peace officer. An agency or organization or the department may refer the complaint to a peace officer
  - Veterinarian must be consulted before seizure of animal or determine it is in the best interests of the animal
  - Peace officer includes: state trooper, police, village public safety officer, regional public safety officer.

## Working in Rural Alaska

- How can we succeed among unique challenges?



## Resources in Alaska

- To be discussed during the presentation