



VIRTUAL
**ANIMAL LAW
SYMPOSIUM**
CRIMINAL JUSTICE

**Better Together:
Animal Cruelty
Investigation and
Prevention through
Collaboration**

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Housekeeping

Content Warning:

This presentation contains graphic images of animals who have ongoing medical issues in need of veterinary care.

Disclaimer:

The information provided in this presentation does not, and is not intended to, constitute legal advice. Opinions are personal and not necessarily representative of the Animal Legal Defense Fund or any clients.

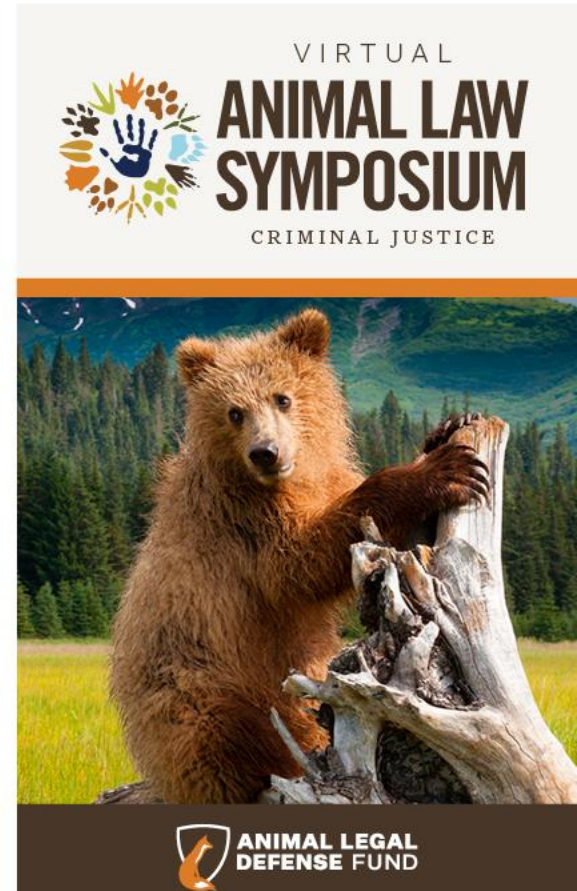
Acknowledgment:

Thank you to the Oregon Humane Society for photos and case studies used in this presentation (unless otherwise indicated).



Presentation Overview

- Animal Cruelty: A Brief Overview
- Who Responds and How
- What is a collaborative response to animal cruelty
- What are the challenges to a collaborative response
- ALDF's Collaborative Response Pilot Project



Duty to Respond to Animal Cruelty

There is a shared responsibility to respond among many entities:



Duty to Respond: Enforcement Entity

Oath (Oregon Revised Statute §181A.065):

Each member of the Oregon State Police shall take and subscribe to an oath of office to support the Constitution and laws of the United States and of the State of Oregon, and to honestly and faithfully perform the duties imposed upon the member under the laws of Oregon.

Laws Mandating Response (Oregon Revised Statute §133.379):

It shall be the duty of any peace officer to arrest and prosecute any violator of [animal abuse, sexual assault of an animal, animal abandonment, dogfighting, or cockfighting] for any violation which comes to the knowledge or notice of the officer.



Duty to Respond: Veterinarians

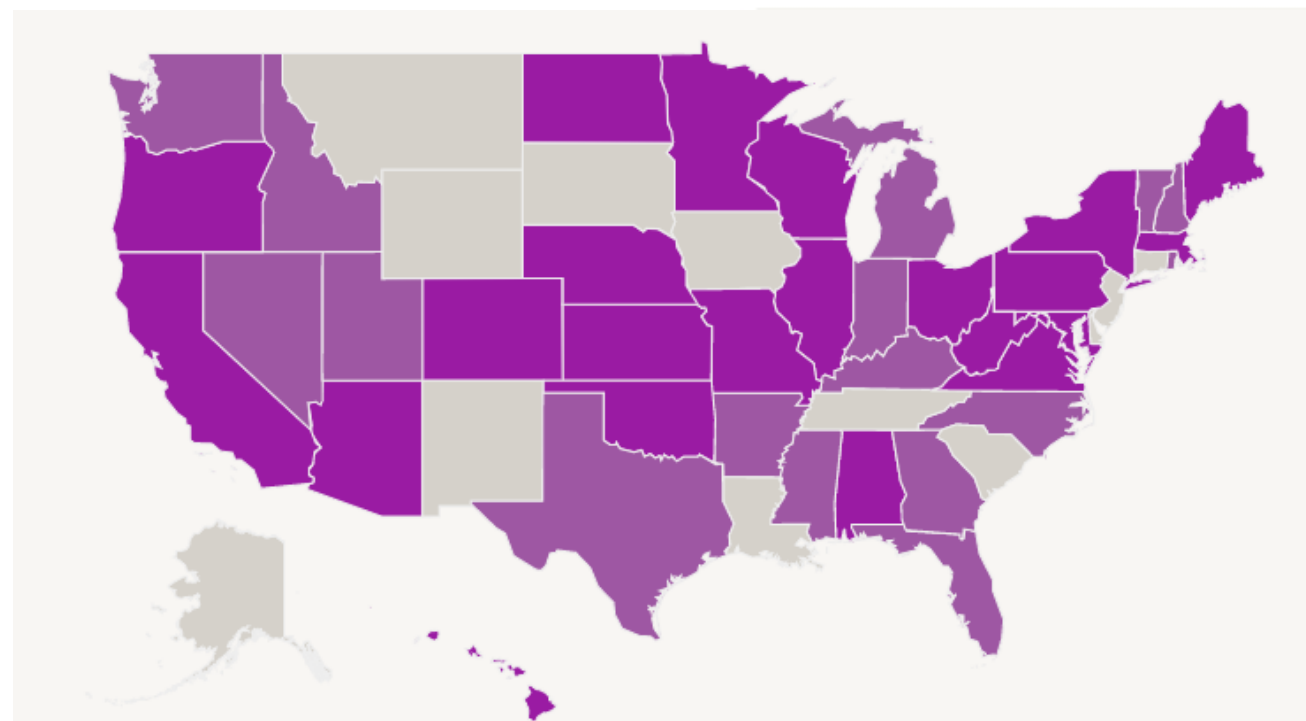
VETERINARIAN'S

OATH

BEING ADMITTED TO THE PROFESSION OF VETERINARY MEDICINE, I SOLEMNLY SWEAR TO USE MY SCIENTIFIC KNOWLEDGE *and* SKILLS FOR THE BENEFIT OF SOCIETY THROUGH THE PROTECTION OF ANIMAL HEALTH *and* WELFARE, THE PREVENTION AND RELIEF OF ANIMAL SUFFERING, THE CONSERVATION OF ANIMAL RESOURCES, THE PROMOTION OF PUBLIC HEALTH, *and* THE ADVANCEMENT OF MEDICAL KNOWLEDGE.

I WILL PRACTICE MY PROFESSION CONSCIENTIOUSLY, WITH DIGNITY, *and* IN KEEPING WITH THE PRINCIPLES OF VETERINARY MEDICAL ETHICS.

I ACCEPT AS A LIFELONG OBLIGATION THE CONTINUAL IMPROVEMENT OF MY PROFESSIONAL KNOWLEDGE *and* COMPETENCE.



VETERINARY REPORTING OF ANIMAL CRUELTY

■ REQUIRED ■ PERMIT AND/OR GRANT ■ NO REPORTING LAW

Duty to Respond: Animal Shelters



Working with our compassionate community, we will end pet homelessness and animal suffering.



The Montgomery Humane Society prevents cruelty to animals by operating an animal shelter for homeless, abandoned, and unwanted animals; by operating an adoption center for healthy animals; by investigating cruelty and abuse cases; and by educating the public in animal owner responsibility.



It is HAHS' mission to promote the humane treatment of hooved animals through education, legislation, investigation, and if necessary, legal intervention.



Duty to Respond: Social Services

“Social workers **should promote the general welfare of society**, from local to global levels, and the development of people, their communities, and their environments. Social workers should advocate for living conditions conducive to the fulfillment of basic human needs and should promote social, economic, political, and cultural values and institutions that are compatible with the realization of social justice.”

– National Association of Social Workers, Ethical Standards 6.01



Duty to Respond: Prosecutors

“The primary duty of the prosecutor is to seek justice within the bounds of the law, not merely to convict. **The prosecutor serves the public interest and should act with integrity and balanced judgment to increase public safety both by pursuing appropriate criminal charges of appropriate severity, and by exercising discretion to not pursue criminal charges in appropriate circumstances.** The prosecutor should seek to protect the innocent and convict the guilty, consider the interests of victims and witnesses, and respect the constitutional and legal rights of all persons, including suspects and defendants.”

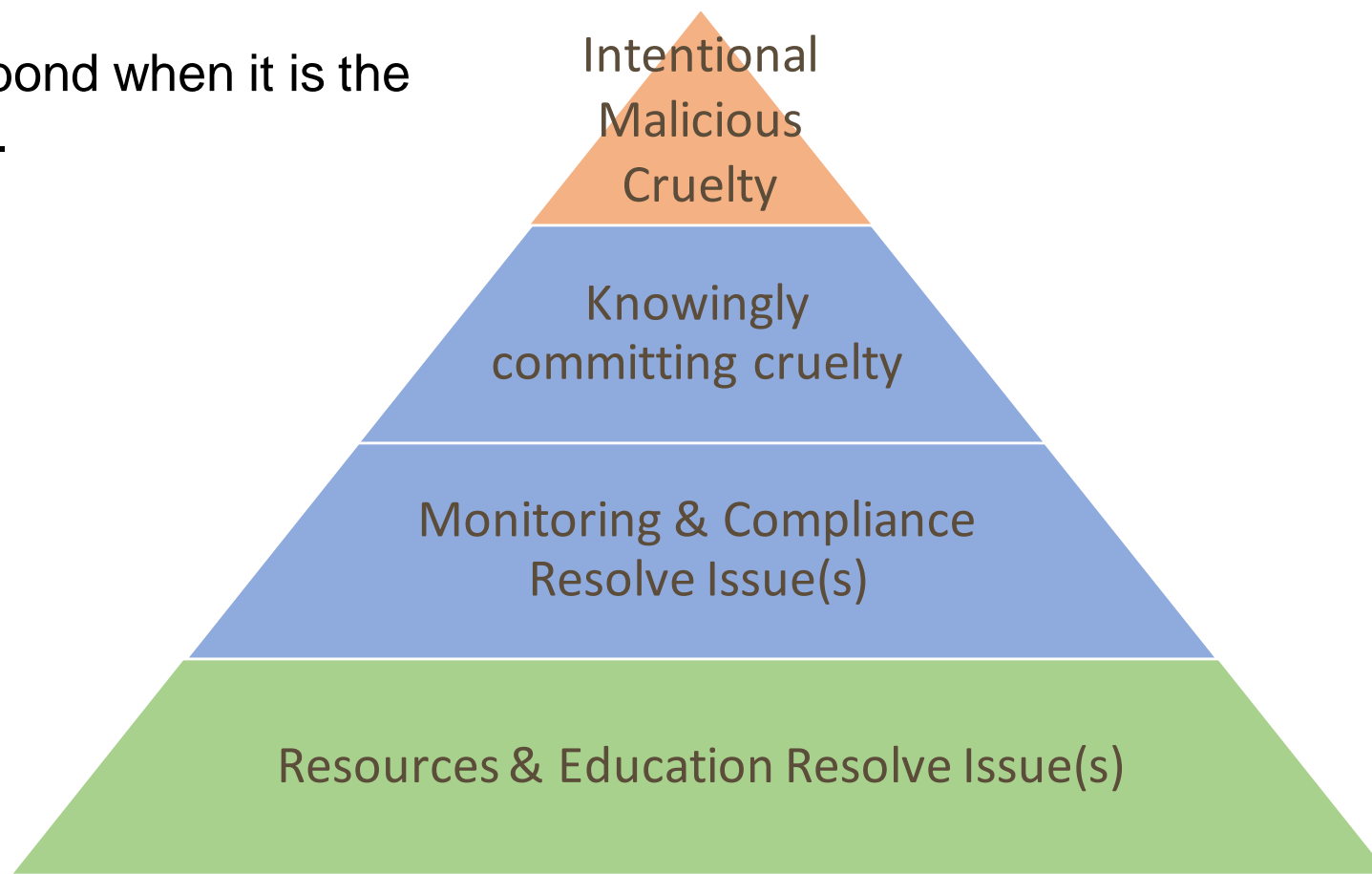
– American Bar Association, Criminal Justice Standards 3-1.2(b)



Case Response Continuum

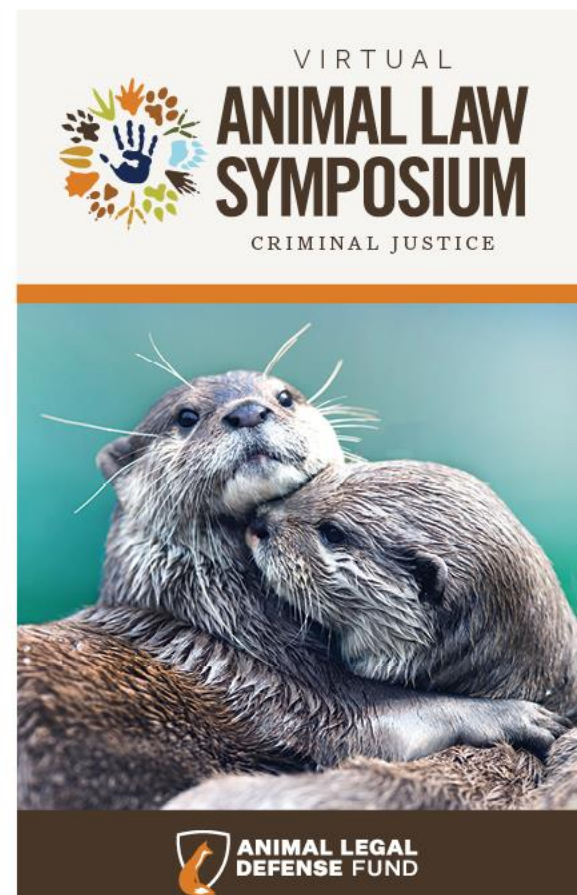
Enforcement vs. Access to resources, education, and monitoring

Preserving the bond when it is the right thing to do.



How Neglect is Born Out of Poverty

- Households living paycheck to paycheck
- One-time, wrong time emergencies
- Chronic lack of medical and preventative care

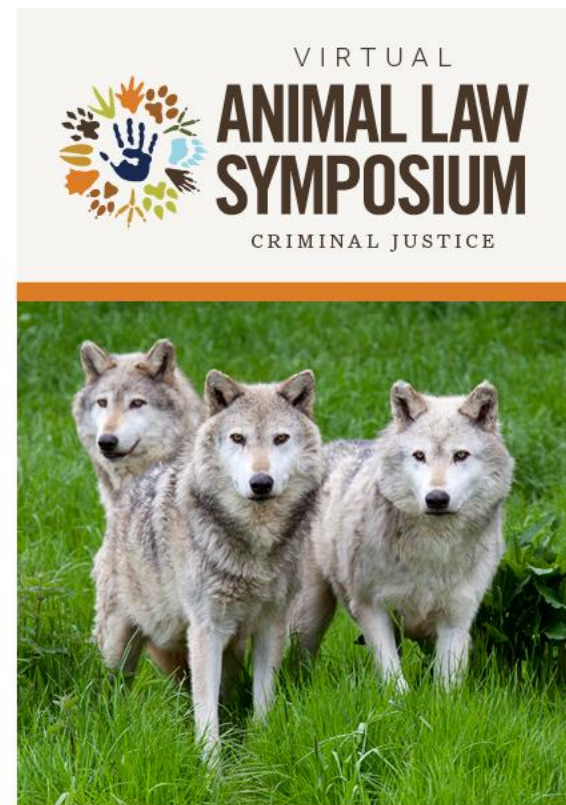


Example Work Up: Bad Skin



- \$60 – Physical Exam
- \$225 – Bloodwork
- \$80 – Skin Scrape/Analyze
- \$65 – Flea Control
- \$50 – Ears Clean and Flush
- \$40 – Antibiotics
- \$27 – Medicated Shampoo
- \$90 – Prescription Diet
- \$30 – Ear Ointment
- \$90 – Allergy Medication

Total \$757
Plus \$180 monthly



Example Work Up: Dental Disease



\$60 – Oral Exam

\$225 – Blood Chemistry Panel

\$150-200 – Radiographs

\$600-1,200 – Anesthesia,
Cleaning, Extractions

Total \$1,036-1,735



Example Work Up: Emergency Pyometra

\$165 – Emergency Exam
\$120 – X-Rays
\$225 – Presurgical Blood
Chemistry
\$700 – Emergency Surgery
\$300 – Hospitalization
\$100 – Oral Medication

Total \$1,610



Example Work Up: Large Animal



\$60 – Farm call

\$70 – Exam

\$160 – Bloodwork

\$25 – Fecal

\$315 – TOTAL



A Lesson Learned

How our time and experiences working in humane law enforcement changed our way of thinking.



- Worked at a shelter with a law enforcement division and community programs
- Overlap and interconnectedness
- When to choose one path over another



Role: Enforcement Entity

- Community caretaker
- Uphold state statutes
- Investigate reports or concerns
- Connect people and animals with resources and services
- Author and execute search warrants and seizures
- Issue criminal citations
- Generate reports and case packets
- Testify in court
- Initiate pre-conviction remedies



Role: Veterinarian

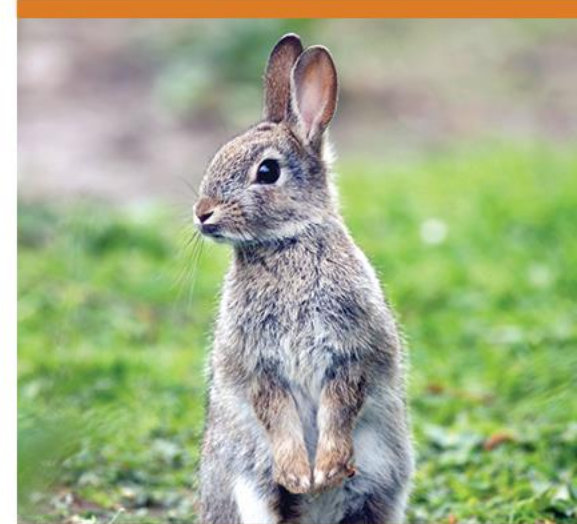


- Qualified to identify cause of death, illness or poor condition
- Can discern whether a suspect's story matches the injuries
- Identifies evidence or lack of evidence at a crime scene
- Consults on humane capture methods, triages emergencies, provides emergency euthanasia
- Generates reports and testifies in court
- Provides education and care to keep animals in homes



Role: Animal Shelters

- Experts in animal handling, capture, and transport
- Valuable in processing the crime scene
- Provide protective custody housing
- Attend to animal's physical and social well-being
- Provide rehabilitation
- Operate community assistance programs such as food banks, spay neuter clinics, etc.



Role: Other Important Collaborators



Social Services:

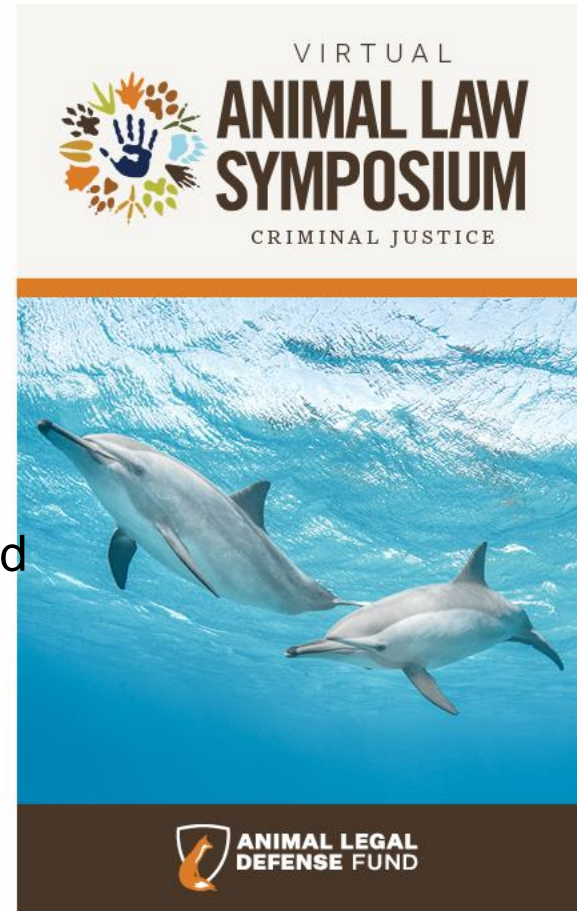
- Respond to needs of children, seniors, houseless, people with disabilities
- Provide mental health support to humans
- Cross reporting

Oversight Agencies (Code Enforcement, Board of Health, Department of Agriculture)

- Attend to other regulated aspects of cases such as sanitation, pest infestation, wastewater pollution, commercial licensing

Community Support Organizations

- Pet food and supply pantries
- Transportation for elderly and disabled individuals
- Subsidized or low cost veterinary services and spay/neuter
- Home clean up and organization



Role: Prosecutor

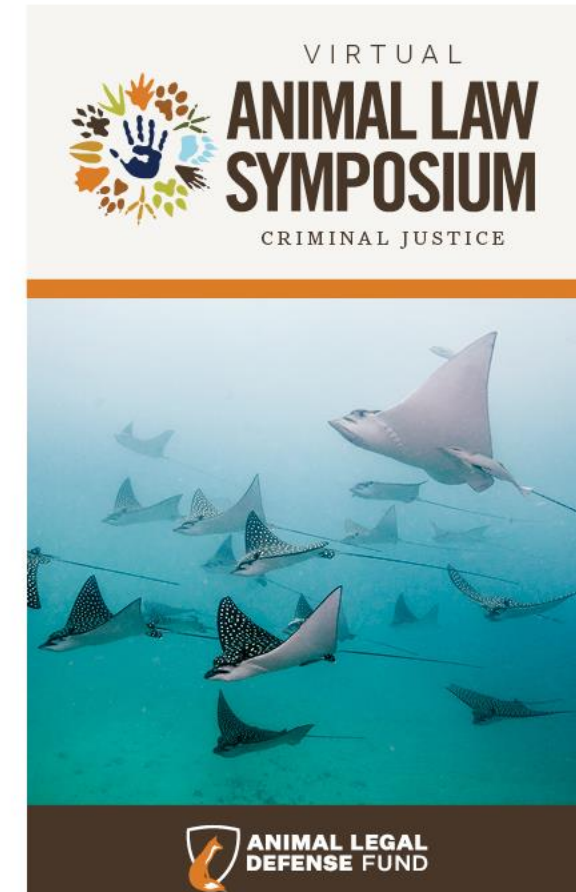
- Evaluate cases for consideration and filing of charges
- Decides the most effective way to present the case based on the evidence presented, witnesses, and reports
- Organizes participants and preps them for trial
- Recommends particular stipulations pre and post trial, participates in forfeiture hearings, etc.



What are the challenges?

“Being one person to handle the entire town and all complaints coming in 24/7 with no back up does not work...the calls and complaints are piling in. It is way more than the part time ACO, who is allotted 19.5 hours a week by the board of the town, can handle.”

– Animal Control Officer, CT



What are the challenges?

“We are in desperate need of better communication between the veterinarian and other animal authorities.”

– Police Officer, NE



What are the challenges?

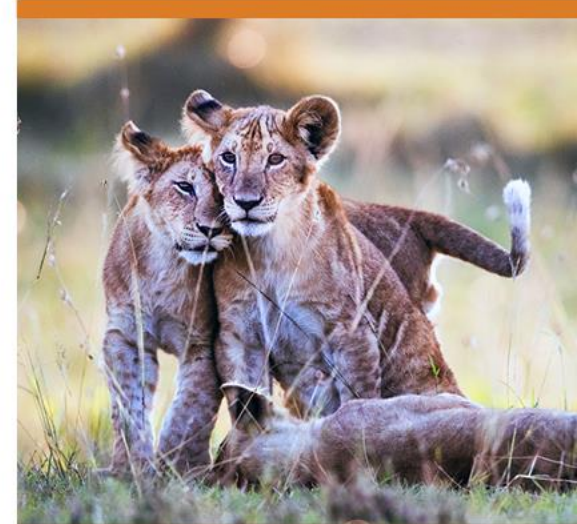


“There are two of us for our area wanting and willing to make a huge difference, but we do not have the back up to help us move forward on cases as they’re too much to take on.”

- Head Animal Control Officer, OK



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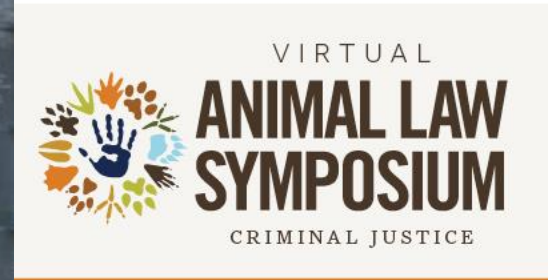
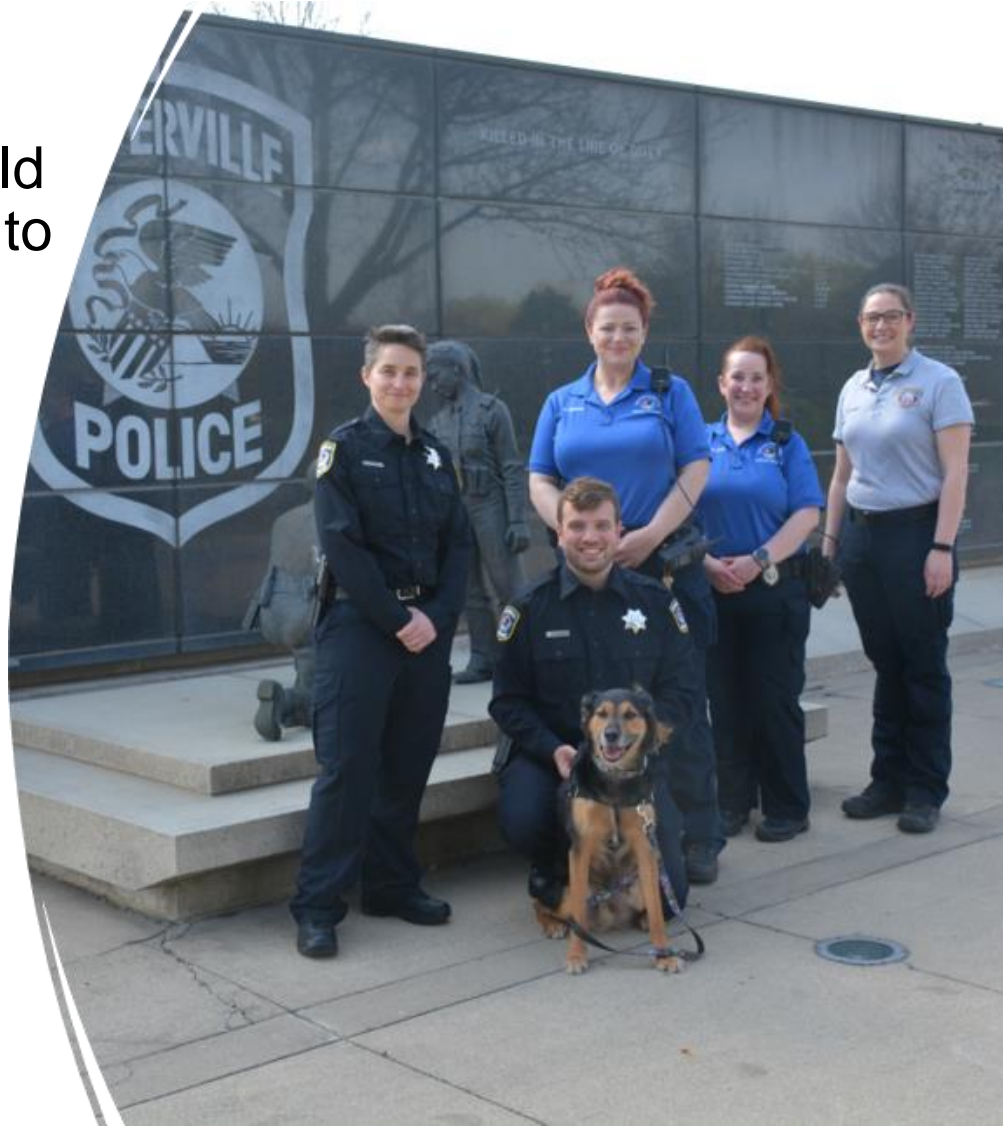
What are the challenges?

“I would like to see law enforcement work together and get training. I would like to see more resources available to agencies and the community...We have the desire and drive to make a difference in our community.”

– Animal Control Officer, OK

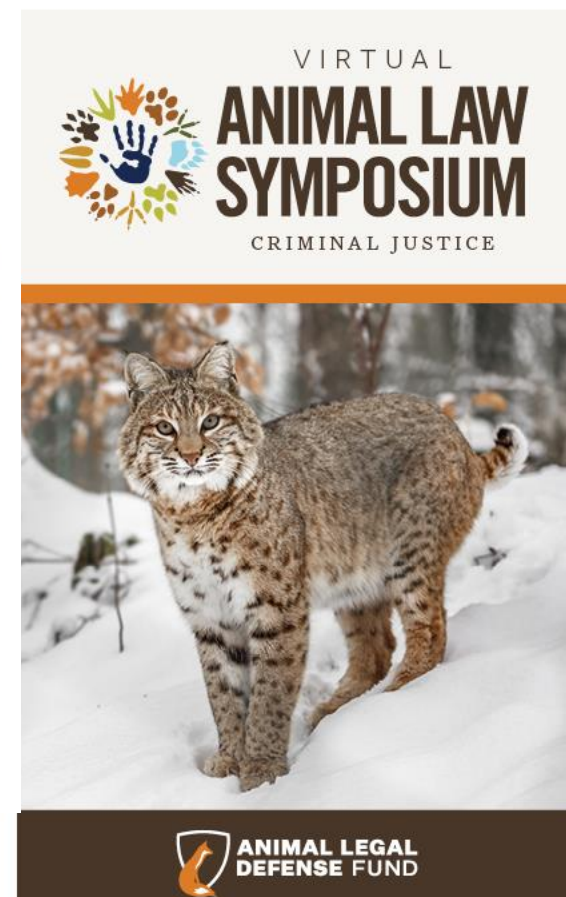
“I would like to see education and interest in animal welfare needs raise awareness within the community.”

– Senior Animal Control Officer, FL



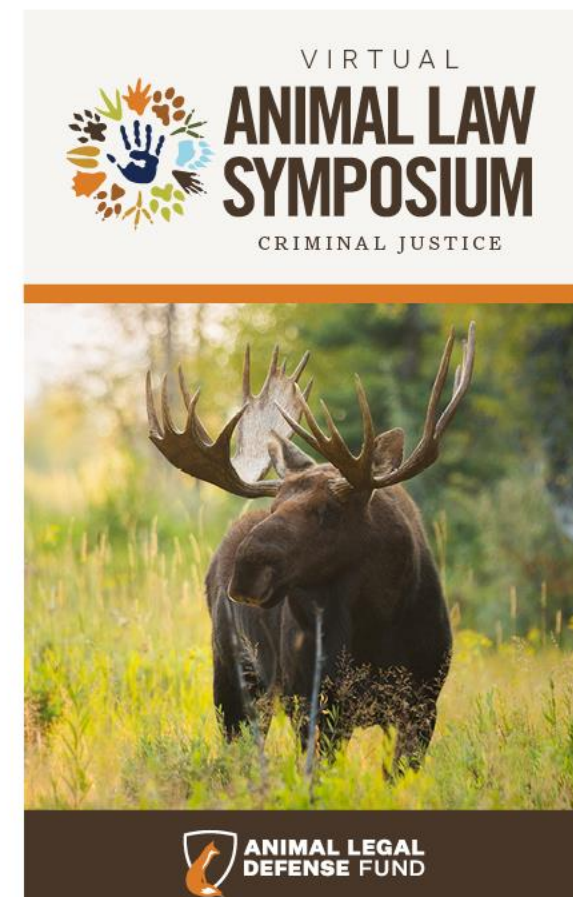
ALDF's Collaborative Response Project

- Creating partnerships between veterinarians, law enforcement, and prosecutors
- Providing training and resources for veterinary forensics and case investigation within a specific jurisdiction
- Introducing concepts of education, monitoring, and access to resources as a pathway to compliance in place of criminal citation when appropriate



What does CRP look like?

- ALDF experts will train law enforcement and veterinarians together in a selected jurisdiction
- Funding for veterinary forensic services and equipment
- Access to cost of care funds for animals held in connection with criminal cases
- Real time support and consultation for veterinarians, LE, and prosecutors for one full year



Interview Process



Identifying needs

- What is going well and what needs attention
- Roadblocks:
 - No access to veterinarian
 - Lack of enforcement or cooperation from law enforcement agencies
 - Lack of training
 - No or few community resources
 - Declining to prosecute animal cases



Selection

About McHenry County Illinois

- Partners included: veterinarians, law enforcement, animal control, human services, large animal humane society, Department of Agriculture, prosecutors
- Geographic area and demographics
- Specific opportunities for improvement
- *“We saw the importance and the necessity to build strong relationships ... to address animal crimes in McHenry County. Our hope is that through collaboration, channels of communication between partners will continue to open and provide key players the tools they need to train, investigate and educate about animal crimes.”*
– McHenry Co. Animal Control Dir. Maryellen Howell



Press Release

McHenry County, Illinois Selected for Animal Cruelty Response Pilot Program

The Animal Legal Defense Fund selected the county after reviewing applicants from across the country

Training

- Develop a partner handbook
- Highlight the laws and ordinances to apply to the county/state
- Two-day training with prosecutor break out
- Full day veterinary forensic training
- Weekly meeting with AC leadership
- Case consultation
- Real time support in investigation, collaboration, evidence collection, forensics, search warrants, case packet preparation
- Develop procedures



Project Updates



- Enhanced communication and cooperation between collaborators
- Case examples
- Supplies and equipment acquisition
- Improved outcomes in cases when efforts are combined.



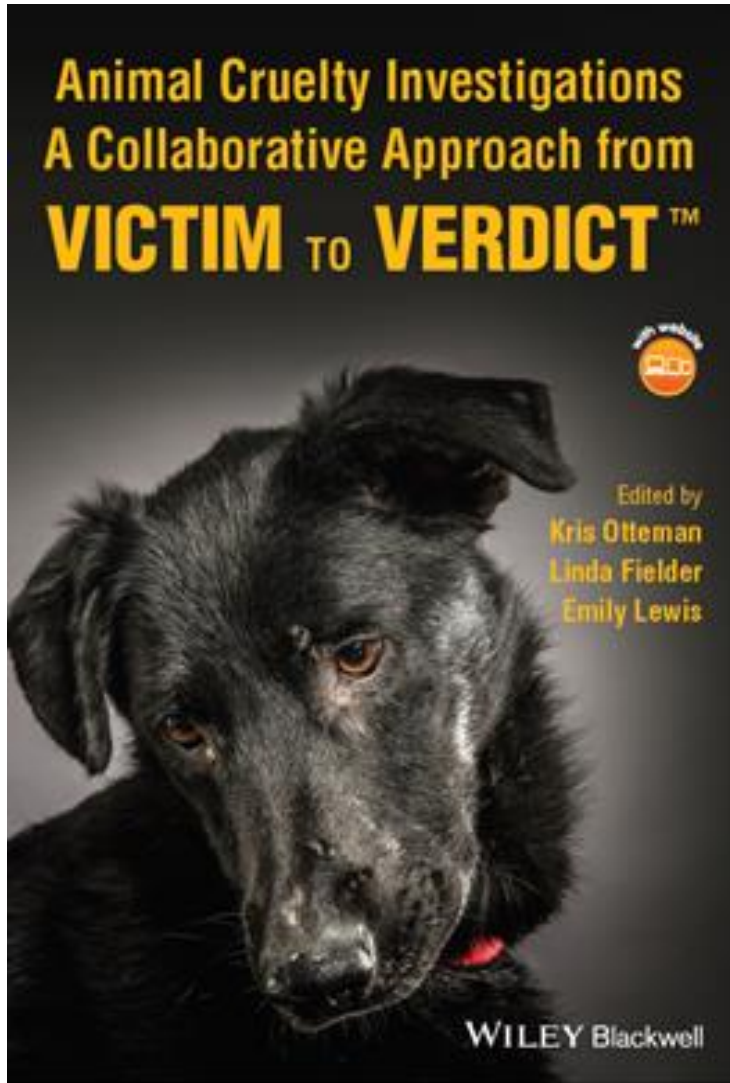
Measuring Success and Planning for the Future



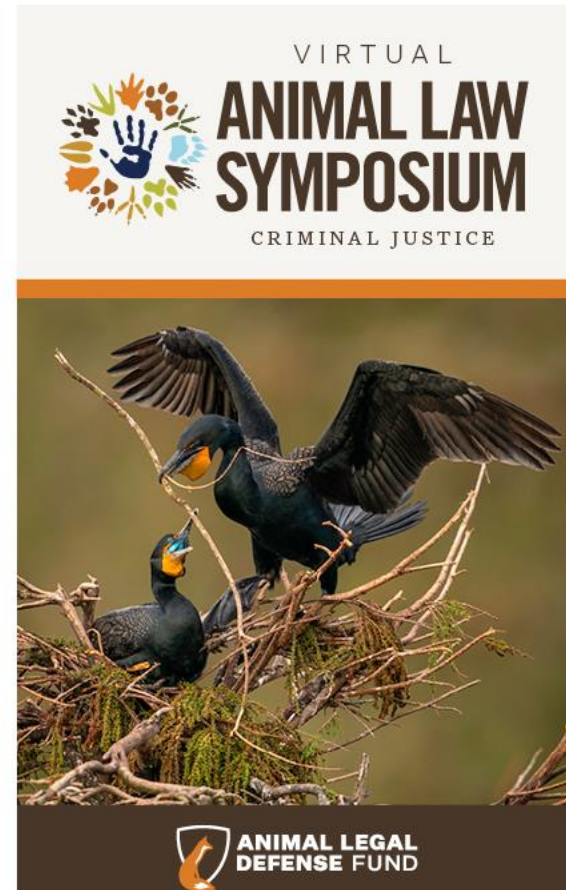
- Areas for improvement
- Procedural improvements
- New opportunities
- Measuring our impact
- Plan for sustainability



To Do List:



- Watch for Collaborative Response Project application period to open: <https://aldf.org/crp>
- Buy the Victim to Verdict book for responders and partners in your community (available on Amazon)





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Thank you!

www.aldf.org

