

Animal Cruelty Investigations



Australian Institute of Animal Management

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October 19, 2017

Animal Cruelty-What is it?

- We know it when we see it!
 - But not everyone sees it the same way.
 - Pet owners
 - Hunters
 - Animal industry professionals
 - Ranchers
 - Exotic aficionados
 - Zoos and research facilities



Per the RSPCA:

- As a result of there being so many possible forms of animal cruelty, state and territory animal welfare legislation does not attempt to define it in an exclusive way; rather, animal cruelty is described generally as any act or omission that causes unnecessary or unreasonable harm to an animal. Most animal welfare Acts will provide particular examples of cruelty. These may include:
- torturing or beating an animal;
- confining or transporting an animal in a way that is inappropriate for its welfare;
- killing an animal in an inhumane manner;
- failing to provide appropriate or adequate food or water for an animal;
- failing to provide appropriate treatment for disease or injury; and
- failing to provide appropriate living conditions.



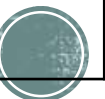
Statutory rules

- All these particular areas have their own special categories, BUT
 - All animal cruelty is based (ideally) on certain central ideals.
- FIVE FREEDOMS:
 - *Freedom from hunger and thirst:* by ready access to fresh water and a diet to maintain full health and vigor.
 - *Freedom from discomfort:* by providing an appropriate environment including shelter and a comfortable resting area.
 - *Freedom from pain, injury or disease:* by prevention through rapid diagnosis and treatment.
 - *Freedom to express normal behavior:* by providing sufficient space, proper facilities and company of the animal's own kind.
 - *Freedom from fear and distress:* by ensuring conditions and treatment which avoid mental suffering.



MAXIMUM sentencing according to the RSPCA

State	Maximum jail term	Maximum fine	Legislation
ACT	2 years	\$22,000 for natural person \$110,000 for corporation	<i>Animal Welfare Act 1992</i>
NSW	5 years*	\$22,000 for natural person \$110,000 for corporation	<i>Crimes Act 1900, Prevention of Cruelty to Animals Act 1979</i>
NT	1 year	\$13,700 for natural person	<i>Animal Welfare Act</i>
Qld	7 years**	\$235,600 for natural person \$1,178,000 for corporation	<i>Animal Care and Protection Act 2001</i>
SA	4 years	\$50,000 for natural person	<i>Animal Welfare Act 1985</i>
Tas	1.5 years	\$26,000 for natural person \$130,000 for corporation	<i>Animal Welfare Act 1993</i>
Vic	2 years	\$74,620 for natural person \$182,000 for corporation	<i>Prevention of Cruelty to Animals Act 1986</i>
WA	5 years	\$50,000 for natural person \$250,000 for corporation	



It is not a question of how WE want animals kept...

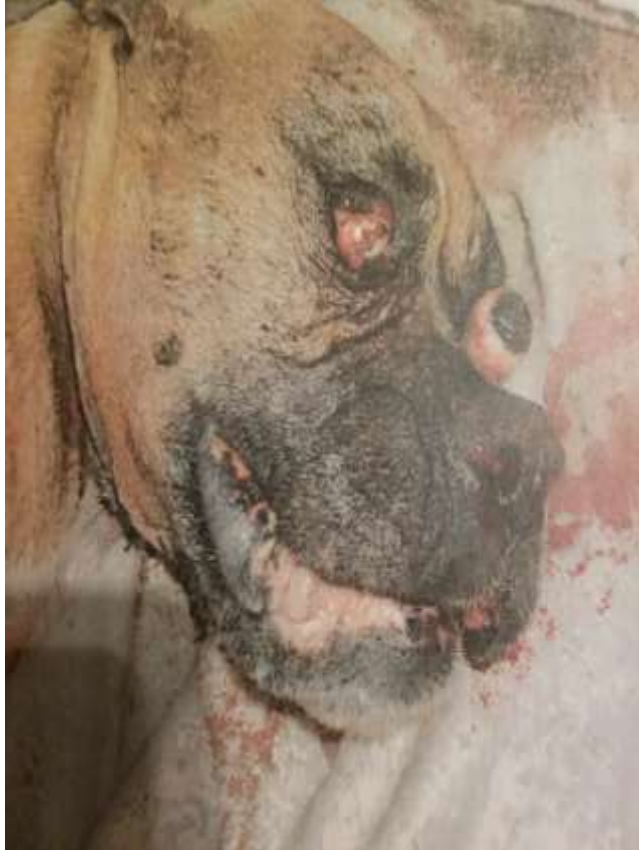
- The standards set are minimums. ANYTHING above that is considered “legal”.



Cruelty can be active or passive



And the excuses can be epic.



Active cruelty

- Is often physical violence.
- But may be deliberate deprivation of certain needs.



Passive cruelty

- Passive cruelty is usually neglect.



- That neglect may be from:
 - Lack of education or knowledge
 - Lack of resources
 - Lack of caring



Chronic or acute?

- Abusive behavior may be a sudden incident.
 - Is there an event that triggered the incident?
 - Is this the first time?
- Or it may be chronic.
 - The cruelty may play out over time.
 - Repeated low level injuries.
 - Extended deprivation.
 - Inadequate and inappropriate confinement.



Either way, this is not the picture.



EVIDENCE



What is evidence?

- Anything that can be used to establish the facts of a case.



Kinds of evidence in cruelty

- Weight.
 - Deprived of sufficient nutrition?
 - Deprived of proper nutrition?
- Injury.
 - Accidental.
 - Non-accidental
- Behavior.
 - Consistent with a healthy animal?
 - Reactions.
 - Activity.
 - Sociability?
- Keeping conditions.
 - Healthy?
 - Enough room?



Animal body condition

There are several scales used that rate animals from emaciated to obese.

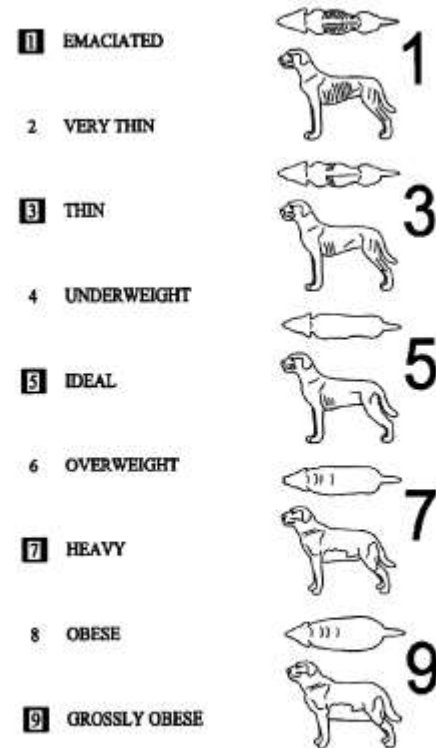


FIG. 1

Tufts University
Body Condition
Score



Each gives specific points of comparison for objective assessment.





Nestlé PURINA

BODY CONDITION SYSTEM

TOO THIN

1

Ribs, lumbar vertebrae, pelvic bones and all bony prominences evident from a distance. No discernible body fat. Obvious loss of muscle mass.

2

Ribs, lumbar vertebrae and pelvic bones easily visible. No palpable fat. Some evidence of other bony prominence. Minimal loss of muscle mass.

3

Ribs easily palpated and may be visible with no palpable fat. Tops of lumbar vertebrae visible. Pelvic bones becoming prominent. Obvious waist and abdominal tuck.

IDEAL

4

Ribs easily palpable, with minimal fat covering. Waist easily noted, viewed from above. Abdominal tuck evident.

5

Ribs palpable without excess fat covering. Waist observed behind ribs when viewed from above. Abdomen tucked up when viewed from side.

6

Ribs palpable with slight excess fat covering. Waist is discernible viewed from above but is not prominent. Abdominal tuck apparent.

TOO HEAVY

7

Ribs palpable with difficulty; heavy fat cover. Noticeable fat deposits over lumbar area and base of tail. Waist absent or barely visible. Abdominal tuck may be present.

8

Ribs not palpable under very heavy fat cover, or palpable only with significant pressure. Heavy fat deposits over lumbar area and base of tail. Waist absent. No abdominal tuck. Obvious abdominal distention may be present.

9

Massive fat deposits over thorax, spine and base of tail. Waist and abdominal tuck absent. Fat deposits on neck and limbs. Obvious abdominal distention.



1



3



5



7



9

The BODY CONDITION SYSTEM was developed at the Nestlé Purina Pet Care Center and has been validated as documented in the following publications:

Mawby D, Barloges JW, Moyers T, et al. Comparison of body fat estimates by dual-energy x-ray absorptiometry and deuterium oxide dilution in client-owned dogs. *Compendium* 2001; 23 (9A): 70

Lafontaine DP. Development and Validation of a Body Condition Score System for Dogs. *Canine Practice* July/August 1997; 22:10-15

Keady, et al. Effects of Diet Restriction on Life Span and Age-Related Changes in Dogs. *JAVMA* 2002; 220:1315-1320

Call 1-800-222-VET5 (8387), weekdays, 8:00 a.m. to 4:30 p.m. CT

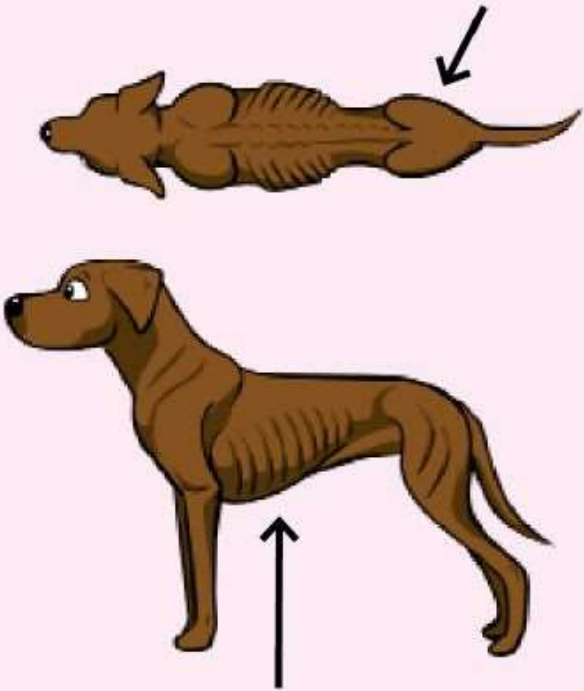
Nestlé PURINA



Any tool can be used...

1

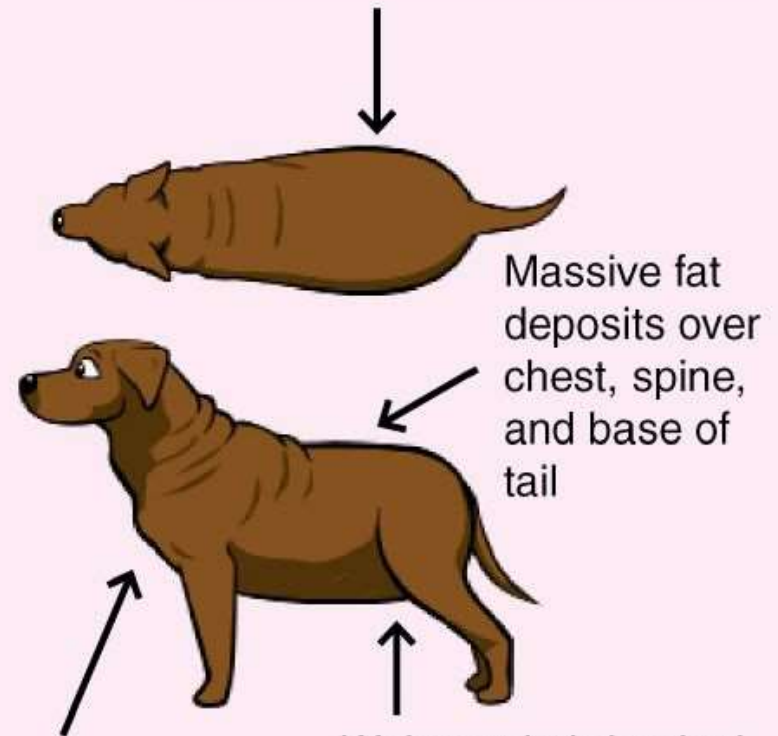
Obvious loss of muscle mass



Ribs, pelvis, vertebra all visible from a distance

9

Obvious abdominal distension



Massive fat deposits over chest, spine, and base of tail

Fat deposits on neck and limbs

Waist and abdominal tuck absent



Worst case: may involve exhumation.



Or skeletal recovery



They are all based on similar criteria:

- Muscle mass and tone.
- Body fat.
- Visibility of certain skeletal markers.
 - Ribs
 - Spinous processes
 - Hips
 - Sunken areas around eyes and forehead (horses).
 - Sunken anus area (horses).



Proper diet documentation includes:

- Quantity
- Quality
- Proper and digestible
- Contamination
 - i.e. spoiled feed, moldy hay, inappropriate grazing, etc.
- The owner does not have to provide the BEST, but it must be SUFFICIENT.



Assessment should include other specific observations.

- Skin condition.
- Hydration.
- Feces/urine condition and qualities.
 - Check for pica in deficient nutrition.
- Willingness to eat.
- Documented improvement with an adequate diet.
- Vaccination status.
- Records of Vet care.



Injuries

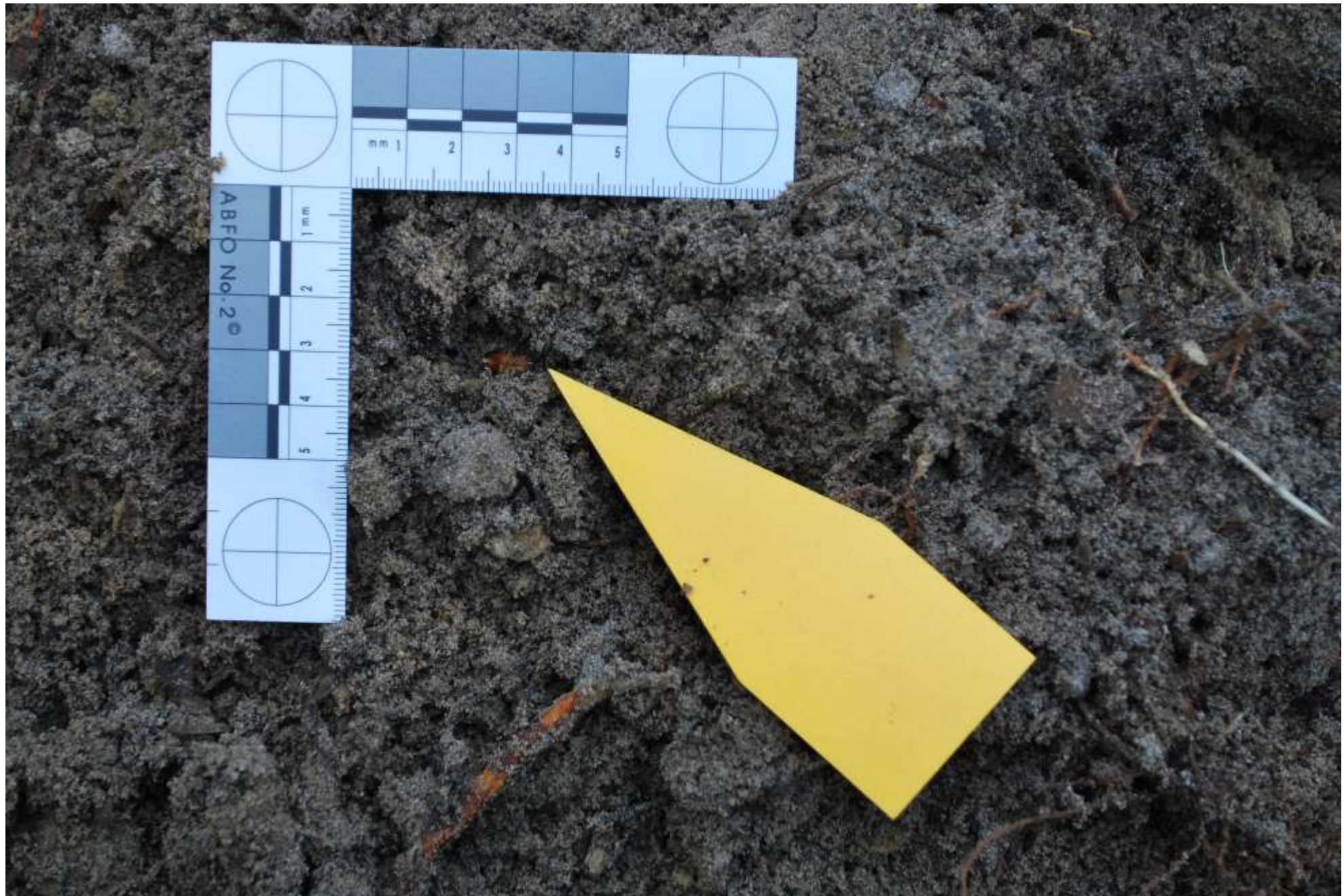
- Blunt force trauma
 - Slow loading force-wide focus
- Sharp force trauma
 - Slow loading force-narrow focus
- Projectile/penetrating
 - High velocity (bullet)
 - Low velocity (arrow, pellet)
- Motor vehicle accident
- Fall or accidental injury



Gunshot wounds







Accidental?

- Non-accidental injuries are usually discovered by interview and observation.
 - Are they consistent with the story/history?
 - Are the repeated “accidents”.
 - Are they likely? Possible?
 - Is there corroboration?



Factors to consider in “accidents”.

- Environment.
 - What is the physical environment the animal lives in?
- Family make-up.
 - Are there factors that don't add up?
- Domestic violence?
 - Look for signs in children, spouses, etc.
- History of other pets.
 - Have the owners had a “run of bad luck”?
 - Other suspicious or frequent deaths?
 - History of pets having “accidents”.



Welfare conditions

- Conditions may be individually borderline, but what is the overall picture?





Processing individual victim



Forensic veterinary exam



Which includes...

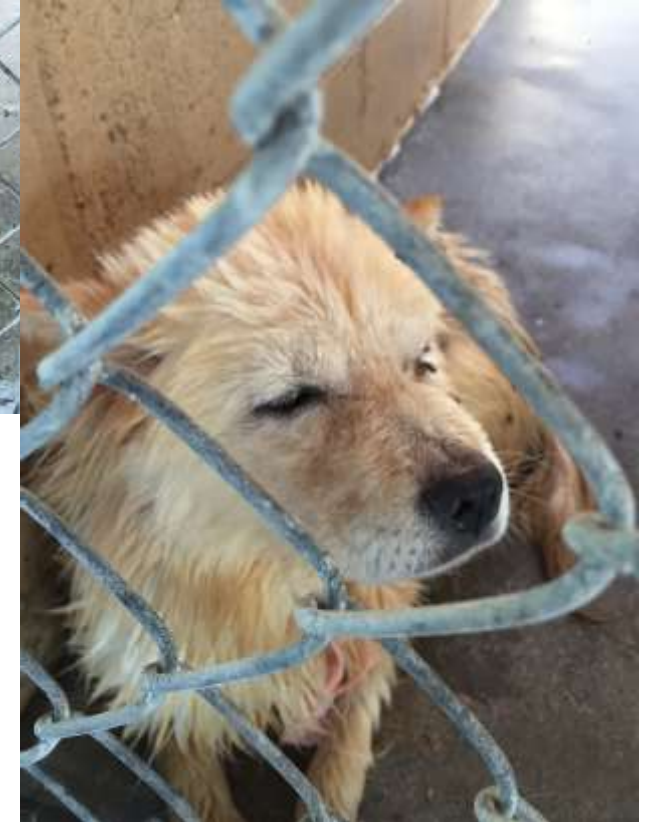
- Overall physical exam.
- Weight, body condition scale (backing up yours).
- Overall health impressions and behavior.
 - Eyes, teeth, feet/nails, blood work.
- Skin conditions (may require shaving).
 - Collar-too tight or causing irritation



If you have to shave due to mats,
bugs, etc.: *preserve the shaved coat*.
And again, PHOTOS.
You may want to weigh before and
after shaving.



HOARDING: a special kind of cruelty

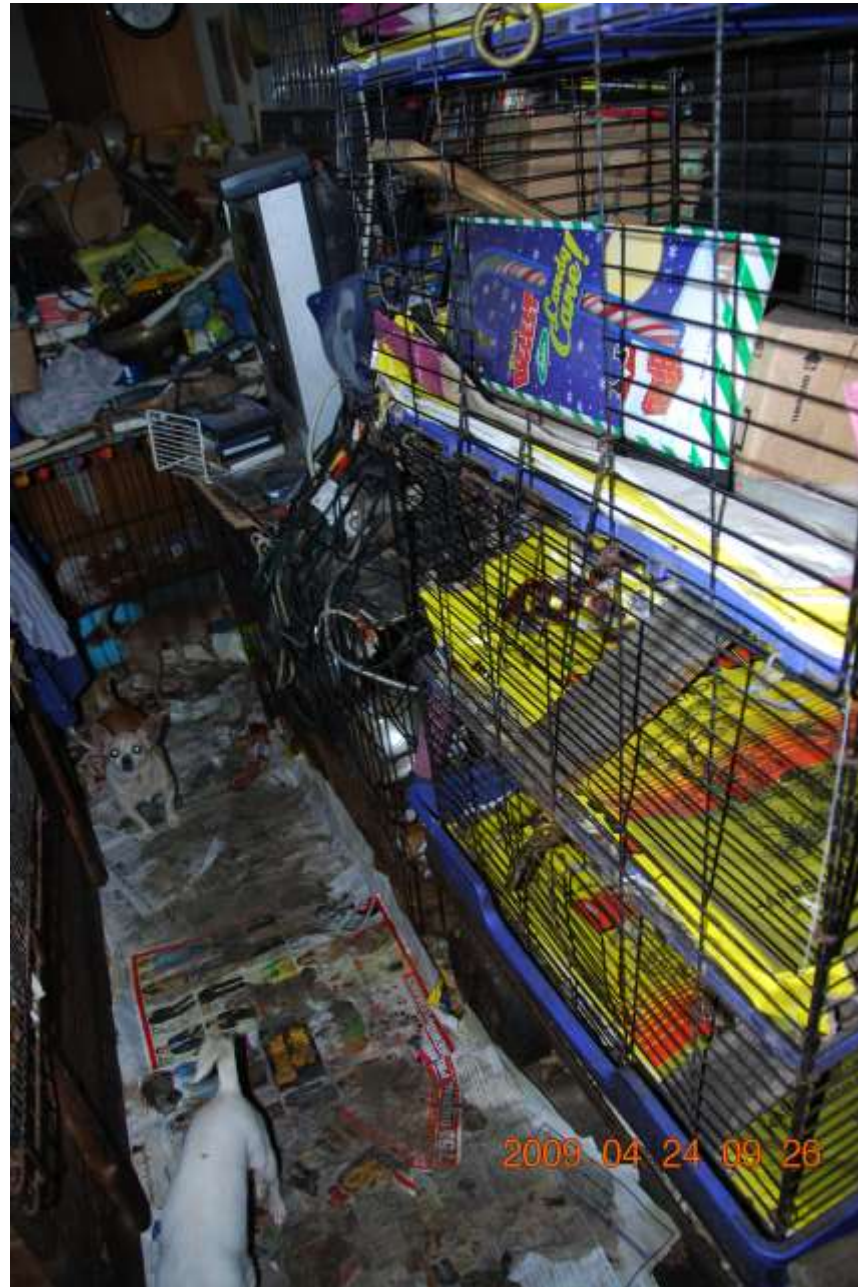


Hoarding documentation

- Photos!
- Video!
- Other items:
 - In hoarding cases, the conditions of the home, the smell, the depth of fouled bedding or flooring-all important.
 - You may need to take a sample of the flooring.
 - To capture the smell: either take a fabric sample (towel, bedding) or take a clean towel, leave it in the room during your investigation..
 - Then place your scent sample in a sealed plastic freezer bag.







Addressing hoarders

- Tufts University is the best resource on hoarding research.
- Definition.
- Mental health issues.
- Recidivism.
- Corrective actions.



Dog fighting



**Too often the public forgets:
These dogs are victims.**



Welfare conditions are often abysmal.

Even when these are valuable dogs making their owners money.



Puppy “housing”



Broken/worn teeth from fighting and chaining.





Evidence for search warrant

- Chains (compare weight to body weight of dogs).
- Pedigrees.
- Drugs/Medications.
 - Often steroids or analgesics, sutures, 'nutritional supplements',
 - Digital records (all computers or electronic devices on site, including phones).
- Break sticks.
- Slat mills.



Dogfighting arrests are often a totality of circumstances.

- Unless they are caught in progress, you have to make a case that the evidence and circumstances could only be illegal fighting.



Animal cruelty links

- Drugs
- Weapons
- Domestic violence
- Child abuse/neglect
- Elder abuse/neglect



Abusers:

- Often start with animals.
- Progression:
 - Minor abuse by kids.
 - Torture
 - Killing.
 - Ritualistic
 - Fire added
- Then on to humans in many cases.
- Some even graduate to serial crimes.



The answers:

- Early awareness and intervention.
 - Not “kids will be kids”.
- Mental health issues.
- Discovery.
- Information sharing.
- Active investigation-police commitment.
- Active prosecution-Crown prosecutor commitment.
- Commitment by Courts and Judges to address as the serious problem it is.

