

# **2019 ANIMAL ABUSE AND DOMESTIC VIOLENCE CONFERENCE**

Friday, October 4, 2019  
Maricopa County Security Building  
9<sup>th</sup> Floor Ballroom  
222 N. Central Avenue,  
Phoenix, Arizona



## **DOMESTIC VIOLENCE AND ANIMAL CRUELTY: HOW PROSECUTING ANIMAL CRIMES CAN SAVE LIVES**

Presented by:

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The Humane Society of the United States

Distributed by:

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Phoenix, Arizona 85015

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**Domestic Violence and Animal Cruelty:  
How Prosecuting Animal Crimes Can  
Save Lives**

# Greetings!

Assistant District Attorney Erin Aiello  
Massachusetts

Domestic Violence  
Sexual Assault  
Child Abuse  
Animal Cruelty

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OF THE UNITED STATES

# \*DISCLAIMER\*

*Thoughts and opinions expressed by Erin Aiello do not represent any official position of the Bristol County, Plymouth County, and Northwestern District Attorney's Offices.*



# Course goals

- ✓ Why animal cruelty should be prosecuted
- ✓ Critical evidence documentation
- ✓ Tips for a successful prosecution

Note: This training is for educational, general reference and informational purposes and is not legal advice.



# But, I have more important cases than misdemeanors!

- Cruelty crimes have been documented as connected with other violent crime
- Addressing these cases, even at a misdemeanor level, keeps your community safe



# Cruelty, fighting & “the link”

- Animal abuse at a young age is a predictor of future violence
- Frequently linked with domestic violence, elder/child abuse
- Correlated with other violent criminal activities (drugs, gangs)



# Animal abuse as predictor

- Criminals 5x more likely to commit violent crimes against people if they did so against animals as youths
- 48% of rapists, 30% of child molesters reported committing animal abuse during childhood



# Why might a child abuse animals?

- Curiosity
- Peer pressure
- Satisfy sadistic urges or aggressiveness (i.e. – using animal for target practice)
- Repeating a lesson learned at home
- Reacting to anger or frustration
- Misplaced hostility or expression of pain, stemming from neglect or abuse of the child or another family member



- Acts of violence beget acts of increased violence
- Those who witness abuse, suffering or violence become desensitized to it



- Witnessing abuse can compromise child's psychological adjustment
- Children who witness domestic violence or who are victims of physical or sexual abuse may imitate the violence
- 32% of pet-owning victims of domestic abuse reported that one or more of their children had hurt or killed a pet



# 2018: Study Explores Links Between Childhood Animal Cruelty, Antisocial Personality Disorder and Domestic Violence

Of 42 incarcerated men with histories of intimate partner violence:

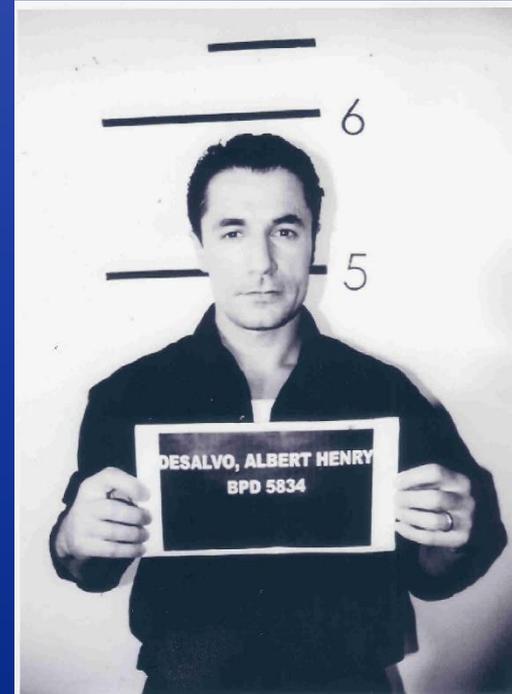
- 36% had committed childhood animal cruelty
- 81% perpetrated animal cruelty
- 85.7% had been exposed to animal cruelty
- 38% used threats against animals during a relationship conflict
- 52% abused and/or killed a pet during a relationship conflict

Histories of childhood animal cruelty were significantly related to increased use of psychological abuse and sexual coercion in the context of intimate relationships, as well as threats to, and actual perpetration of, animal abuse during relationship conflicts.



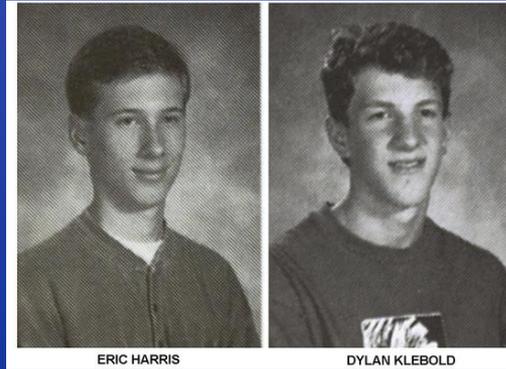
## Notorious examples – serial killers

- Albert DeSalvo (“Boston Strangler”) - during youth, trapped dogs and cats in boxes and shot arrows at them
- Jeffrey Dahmer - as a child he decapitated dogs and staked cats to trees
- Dennis Rader (the BTK killer) - wrote in a chronological account of his childhood that he hanged a dog and a cat



# Notorious examples – school shooters

- Columbine shooters, Eric Harris and Dylan Klebold, told classmates about their animal mutilations
- Nikolas Cruz – Instagram - photo of slaughtered toad. In response to a comment on that image, Cruz wrote that toads tended to run away when they saw him, because “I killed a lot of them.”



# Animal abuse and violent crime

Study: “Cruelty to animals and other crimes”

- 100% of sexual homicide offenders had history of animal cruelty
- 70% of animal abusers committed at least one other criminal offense

Men who abused animals:

- 5x more likely to have been arrested for violence towards humans
- 4x more likely to have committed property crime
- 3x more likely to have records for drug and disorderly conduct offenses



John Thompson, former Deputy Executive Director,  
National Sheriffs' Association:

*“[Jeffery] Dahmer started with reptiles, and went to cats and dogs, and then to people. If you look at all the serial killers who've done that, that's where they start. They start at the basic bottom and work their way up from cats, to dogs.”*



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# Domestic violence, child and elder abuse

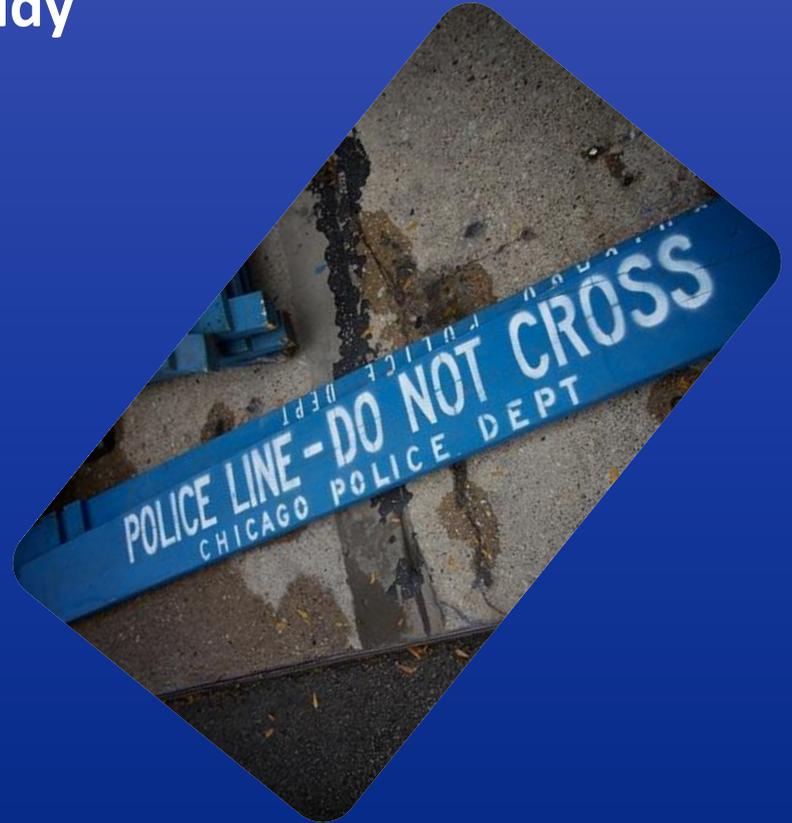
- Crimes against animals, spouses, children, and the elderly often go hand in hand
- When animals are abused or neglected, it is a sign that others in the house may not be safe
- Abusers target the powerless
- Researchers have found that a batterer's first target is often an animal living in the home, while the second is a spouse or a child



# Chicago study

## Of 332 animal cruelty arrests:

- 70% of suspects had arrests for other felonies, including two homicides
- 86% had multiple arrests
- 70% had narcotics arrests
- 68% were for sales or trafficking
- 65% were arrested for battery-related violent offenses
- 27% for firearms violations
- 13% for sex crimes
- 59% were gang members





# Animal cruelty and domestic abuse

## Why might batterers hurt animals?

- Demonstrate power/control over family
- Teach submission, instill fear
- Force family to keep violence a secret
- Retaliation
- Prevent victim from leaving or coerce her to return
- Punish the victim for leaving



What does “High Risk” mean???



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# High Risk Factors

- **Threats to Kill**
- **Strangulation**
- **Use or Threat of Weapons**
- **Child Witness to Violence**
- **Suicidal Threats**
- **Visible Injuries to Victim**
- **Multiple Victims**
- **Escalation of Violence**
- **Stalking**
- **Sexual Assault**
- **Mental Health**
- **History of Violence**
- **History or Restraining Orders**
- **Substance Abuse**
- **Interactions with Authority (police-jail-probation)**
- **Monitors and Controls Partner's Activities**
- **Animal Abuse**



# Additional High Risk Factors

- **Abuse of Pregnant Victim**
- **Financial Problems**
- **Health Problems**
- **“Off Meds”**
- **Unemployed or Recent Job Loss**
- **Sees Himself as Victim**
- **Concerns over Child Custody/Separation**
- **Access to Weapons**
- **Victim’s level of fear**

## Case example – Sept. 2018, Massachusetts

- **High Risk Offender A- Lethality**
  - **D admitted to killing V's cat and becoming aroused as well as kicking her dog so hard that the dog had a seizure.**
  - **He told V that he would let her dog live if he could kill her other cat.**
  - **In the past, he grabbed V by the throat and tried to strangle her. He told her that he wanted to break the V's nose top to bottom so that bone fragments would hit her brain if he she tries to breathe too deep.**
  - **Also, threatened his own life.**



## Case Example- Jan. 2008, Massachusetts

- **High Risk Offender B**
  - **Pitbull thrown from a window in Springfield. Fractured femur and fractured skull**
  - **Defendant had 7 Restraining Orders**
  - **History of DV**
  - **DV witnessed by children**
  - **Multiple Victims**



# Victim is no longer on board....

- Prove circumstantially
  - Excited Utterance
  - Percipient Witness (Police or Civilian)
- Find the other Crime
  - Animal Cruelty
  - Resisting Arrest
  - F/A offense
  - A & B subject to no testimonial privilege
- Taunton 2018 Case



# Why Don't They Leave?

- Victims often do leave and that's when things get worse. Statistically it's the most dangerous time.
- Better Question to Ask: How can we support victims and make it safe for them to leave?
  - Safe Havens Mapping Project



# PAWS ACT

- On December 20, 2018, the provisions of the Pet and Women Safety (PAWS) Act were signed into law as part of the 2018 Farm Bill. The PAWS Act establishes a grant program for entities that provide shelter and housing assistance for domestic violence survivors to enable them to better meet the housing needs of survivors with pets. The new law also takes the important step of including pets, service and emotional support animals, and horses in federal law pertaining to interstate stalking, protection order violations, and restitution. These provisions provide law enforcement with additional tools for protecting victims from their abusers.



# Animal cruelty and child abuse

- Parents who neglect animals may also neglect or abuse children
- New Mexico, 2018: Allan and Sandra Quick, 10 years in prison
- Found in an RV with their six children, severely emaciated dogs, nine dead dogs and several cats in need of veterinary care
- Former sheriff's deputy said conditions were among the worst he had ever seen; children were filthy, had upper-respiratory infections
- Officials said animals acquired from shelters and were being sold for money; dogs were locked in cages without food or water and some had been poisoned or shot





001588

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**SHE'S** NEXT

**REPORT ANIMAL ABUSE. STOP DOMESTIC ABUSE. CALL 911.**



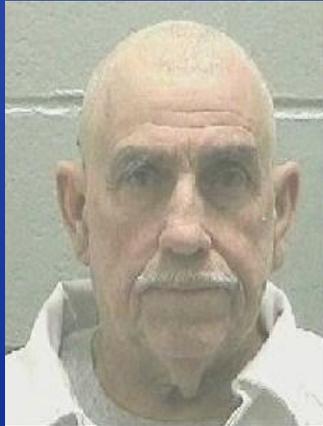
REPORT ANIMAL ABUSE. STOP DOMESTIC ABUSE. CALL 911.

HE'S NEXT

CLEARCHANNEL

# Case examples - infamous dogfighters

- Al White
  - raided for dogfighting
  - warrant revealed evidence of molestation of at least two young girls
  - found guilty on all charges of cruelty and child sexual abuse
- “Irish Jerry”
  - convicted of both dog fighting and child molestation



**HOLCOMB, KENNETH G**  
GDC ID: 0000209307

**PHYSICAL DESCRIPTION**  
YOB: 1939  
RACE: WHITE  
GENDER: MALE  
HEIGHT: 5'10"  
WEIGHT: 180  
EYE COLOR: UNKNOWN  
HAIR COLOR: UNKNOWN

**INCARCERATION DETAILS**  
MAJOR OFFENSE: POSS OF MARIJUANA  
MOST RECENT INSTITUTION: JOHNSON STATE PRISON  
MAX POSSIBLE RELEASE DATE: 01/28/2011 Important  
Release Information  
TENTATIVE PAROLE MONTH: 01/2010 Important Parole Information

ACTUAL RELEASE DATE: 05/26/2010 CURRENT STATUS: PAROLE

KNOWN ALIASES IRISH JERRY A.K.A. JERRY HOLCOMB A.K.A. HOLCOMB, KENNETH GERALD

CASE NO: 706649 - OFFENSE: POSS OF MARIJUANA  
CONVICTION COUNTY: GILMER COUNTY - CRIME COMMIT DATE: 01/29/2009  
SENTENCE LENGTH: 2 YEARS, 0 MONTHS, 0 DAYS

CASE NO: 212639 - OFFENSE: CHILD MOLESTATION  
CONVICTION COUNTY: DEKALB COUNTY - CRIME COMMIT DATE: 06/01/1985  
SENTENCE LENGTH: 1 YEARS, 0 MONTHS, 0 DAYS



# Animal abuse and elder neglect

- Often related to hoarding and neglect cases
- During large-scale cruelty cases, investigators often find elderly parents living in the home
- Wisconsin study found 92% of adult protective services caseworkers encountered animal neglect among clients who were unable to care for themselves



# Cruelty investigations



# What is animal cruelty?

## Typically:

- **Acts of commission**
  - Abuse
  - Kicking, beating etc.
  - Fighting
  - Torture
- **Acts of omission**
  - Neglect
  - Lack of food and water
  - Failure to provide veterinary care
  - Failure to prevent unnecessary suffering



# Scope of the law

## Typical felony cruelty:

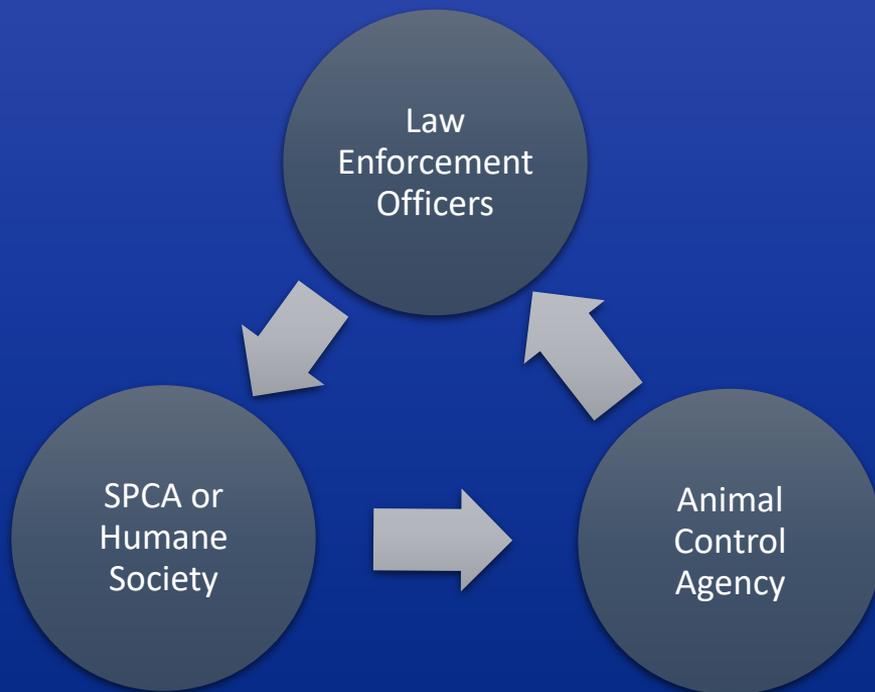
- **Intentional Abuse:** hurting, torture, killing, poisoning
- **Aggravated Negligence:** failing to provide minimum care resulting in injury or death

## Typical misdemeanor cruelty:

- **Failure to provide care:** lack of shelter, food, water, etc. when it does not involve death or serious injury



# Who enforces the laws?



# Physical abuse

Critical documentation during interview should include:

- When the abuse occurred?
- How many times?
- What type? Hitting, kicking, throwing?
- What, if any, object was used in the abuse?
- Extent of injury to the animal
- Description of the alleged abuser and animal



# Animal sexual abuse

- Bestiality or zoophilia
- Sexual molestation of animal by human, including: vaginal, anal, or oral penetration; fondling; oral-genital contact; penetration using an object; and killing or injuring an animal for sexual gratification, abuse, or financial gain
- Contact can be person on animal or animal on person (including penetration) by an agreeable human
- Eroticization of violence, control, and exploitation



# Is it really a problem?

- Yes; difficult to quantify because most abuse occurs in secret and the victims can never tell
- Beast Forum, an internet forum focused on bestiality, claims over 1.2 million users
- Internet search will lead to graphic material describing and promoting sexual abuse of animals, as well as detailed how-to guides involving a variety of species, information on laws, diseases, and personal ads



# Covered under state cruelty law?

- 45 states prohibit animal sexual abuse; almost half require registration as a sex offender
- When animal is physically injured or killed, animal cruelty law can and should be applied
- Rectal or vaginal tearing, decapitation, beating, stabbing, mutilation, and crushing of animals for sexual gratification have been reported
- Animals often restrained or drugged so they cannot resist



# Which animals are victimized?

- Many species, both domestic and wild, are sexually abused
- Dogs and horses are the most frequently mentioned targets
- Animals kept outside, such as dogs, horses, cows, sheep and chickens, are also common targets thanks to their easy availability



## Key terms

- Farm, Beast, Zoo, K9, Best Friend, Mount, Breed, Barn, Barnyard, Red Rocket, knot, etc.
- Knotting: refers to the engorgement of the Bulbus Glandis, which prevents the male canine from separating from a female during mating. The Bulbus Glandis is a structure in the male canine's penis that engorges when sexually aroused.



# Signs of sexual abuse

- Behavioral:
  - Severe anxiety when separated from other animals
  - Aggression, extreme fear, or unusual meekness
- Physical :
  - Abrasions, bruises, injury, or hemorrhaging to the perineum, vaginal canal, rectum, colon, or to the tail close to the base
  - Rectal prolapse
  - Recurrent vaginitis
  - Presence of foreign objects within the vaginal canal/rectum
  - Head trauma, blunt force injuries, injuries to the ears (grabbing), ligature and/or binding marks around muzzle or limbs, and strangulation-type injuries
  - Ligatures around animal's penis or base of scrotum



# Investigating ASA

If you arrive to scene and suspect sexual abuse:

- Key: animal is evidence and should be treated as such
- Conduct interviews and obtain statements from witnesses.
- If possible examine the animal for signs of trauma to the rectum, vagina or penis
- Look for abrasions or bruising caused by restraints
- If alleged abuser does not allow you to see the animal, a signed statement from a witness and/or your own affidavit (if you have seen evidence) may allow you to obtain a warrant



# Use the internet

- If you receive allegations of ongoing sexual abuse of animals and the animal(s) does not appear to be in imminent danger/death, use the internet to build your case
- Common venue for people seeking or offering sexual encounters with animals
- When possible, check the alleged offender's internet activity



# Online forums

- [Beastforum.com](http://Beastforum.com)
- [Craigslist.com](http://Craigslist.com)
- [Beast-Dating.com](http://Beast-Dating.com)
- [Zoodestiny.com](http://Zoodestiny.com)
- [Gaybeast.com](http://Gaybeast.com)
- Kik Messenger
- Skype for live sex shows



# Craigslist

## ☆ **Lookin for knot - m4m**

Looking for someone with access to knot. 19 y o 6 ft 220 guy here. Never done anything like this. Ddf and mobile.. can't host

age: 19

- do NOT contact me with unsolicited services or offers

post id: 6014914119

posted: 14 days ago

updated: a day ago

[email to friend](#)

♥ [best of](#) 

## ☆ **seeking taboo minded buddies - m4m (Atlanta)**

Just reaching out to other taboo minded men for friendship and play.  
If you are EXPERIENCED in family (father/son, brothers, etc.) or zoo play hit me up let's get to know each other Not into underage at all  
masculine gay white man here 100% discreet so no worries.  
put buddy in the subject line of your response email so I know you aren't a spammer.

body: average

height: 5'8" (172cm)

status: single

age: 47

- do NOT contact me with unsolicited services or offers

post id: 6024883222

posted: 7 days ago

updated: about 21 hours ago

[email to friend](#)

♥ [best of](#) 



# BEAST FORUM

- Bestiality/Zoophilia forum hosted from the Netherlands
- Personal ads, videos and photos
- Users can create profiles with limited personal information
- Provides messaging feature for private communication between users
- 1060 topics in the GA personals section



		<b>Pinned: Beware Of Invitations To Arizona</b>	<a href="#">southflorida</a>	<a href="#">8</a>	433	21st December 2016 - 10:20 PM <b>Last Post by: ItsYourTurnForPleasure</b>
		<b>Pinned: Stop Trumping Threads</b> WARNS AND BANS FORTHCOMING	<a href="#">southflorida</a>	<a href="#">0</a>	109	23rd September 2016 - 01:28 PM <b>Last Post by: southflorida</b>
		<b>Pinned: Safety Guide For First Time Meets</b> and guidelines for pre-meet communication	<a href="#">southflorida</a>	<a href="#">0</a>	105	13th August 2016 - 09:13 PM <b>Last Post by: southflorida</b>
		<b>Pinned: No Skype Kik Scruff Or Any Other Contact Info</b>	<a href="#">southflorida</a>	<a href="#">3</a>	241	18th April 2016 - 11:25 PM <b>Last Post by: southflorida</b>
<b>Forum Topics</b>						
		<a href="#">Looking And Hoping</a> Horse	<a href="#">Stallionrider91</a>	<a href="#">0</a>	27	7th April 2018 - 10:11 PM <b>Last Post by: Stallionrider91</b>
		<a href="#">Couple Looking For Large Dog Fun</a> k9 fun	<a href="#">tittylover</a>	<a href="#">1</a>	64	6th April 2018 - 12:23 PM <b>Last Post by: Omahabigdick</b>
		<a href="#">Horse Farm</a>	<a href="#">animalsexaddict69</a>	<a href="#">12</a>	1171	6th April 2018 - 06:45 AM <b>Last Post by: Craven82</b>
		<a href="#">Seeking Guvs Who Like Dog/horse Fun</a>	<a href="#">omaleatherboy89</a>	<a href="#">5</a>	363	5th April 2018 - 10:36 PM <b>Last Post by: omahaha84</b>
		<a href="#">He Is Ready</a> New puppy	<a href="#">Omahabigdick</a>	<a href="#">2</a>	100	1st April 2018 - 02:24 PM <b>Last Post by: Omahabigdick</b>
		<a href="#">Some Help</a> Help	<a href="#">Omahabigdick</a>	<a href="#">0</a>	52	26th February 2018 - 11:25 PM <b>Last Post by: Omahabigdick</b>
		<a href="#">Any Ladies Want To Get Mount This Weekend</a> Dog ready to mount	<a href="#">Omahabigdick</a>	<a href="#">0</a>	49	23rd February 2018 - 03:24 PM <b>Last Post by: Omahabigdick</b>
		<a href="#">New New Chat Room</a>	<a href="#">southflorida</a>	<a href="#">0</a>	45	23rd February 2018 - 03:13 PM <b>Last Post by: southflorida</b>
		<a href="#">Ready To Get Mount</a> New puppy	<a href="#">Omahabigdick</a>	<a href="#">0</a>	61	4th February 2018 - 05:44 PM <b>Last Post by: Omahabigdick</b>
		<a href="#">Omaha I Have A New Male Puppy Any Ladies Want To H</a> New puppy	<a href="#">Omahabigdick</a>	<a href="#">1</a>	76	31st January 2018 - 02:39 PM <b>Last Post by: IowaCouple</b>
		<a href="#">Omaha And Surrounding Suburbs/towns (Pages 1 2 3 ...6)</a> EASTERN Nebraska Roll Call	<a href="#">Rebel of the Sacred Heart</a>	<a href="#">80</a>	4833	27th January 2018 - 11:41 AM <b>Last Post by: Omahabigdick</b>
		<a href="#">Looking For A Host Or Shared Interest!</a> Fun in omaha	<a href="#">Buckeyebob</a>	<a href="#">0</a>	73	2nd January 2018 - 12:59 PM <b>Last Post by: Buckeyebob</b>



Female In Columbus, Guys that love animal pussy in ga

[Track this topic](#) | [Email this topic](#) | [Print this topic](#)

**FoxvLadY95**

**Posted:** Feb 5 2017, 10:14 PM

 [Quote](#)

Nevbie



Group: Members  
Posts: 2  
Member No.: 1831528  
Joined: 22-June 16

Only into straight guys. Who are in georgia or very close. Only interested in watching guys mount female animal [REDACTED] I have a beautiful female husky girl myself but dont mind watching you with yours. Send me a message 😊 .

Rate Member: 10 ▼

[Rate](#)

 PM



Active Zoos For Training Tips

[Track this topic](#) | [Email this topic](#) | [Print this topic](#)

**chitwndawqy**

**Posted:** Jan 11 2017, 02:16 PM

 [Quote](#)

Beginner



Group: Members  
Posts: 83  
Member No.: 1705653  
Joined: 17-January 15

Looking to talk with other active zoos from the Atlanta area. Hoping to exchange training tips for new pups. While I've been active a long time, there are certain challenges in starting from zero with a puppy. PM me and lets talk!

Rate Member: 10 ▼

[Rate](#)

 PM



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# What can we learn from the forums?

- City and state
- Date of birth
- Email address
- Admissions of past and current crimes
- Videos and Photographs
- User names that may be used on other sites



# Beastforum

## maxfliga

[Find all posts by this member](#) · [Add to contact list](#)

Active Stats		Communicate	
<b>Total Cumulative Posts</b>	69 0 Download Credits per day 0 Downloads <small>( 0.00% of total forum posts )</small>	<b>Email</b>	
<b>Posts per day</b>	0	<b>Integrity Messenger</b>	<i>No Information</i>
<b>Joined</b>	13-October 07	<b>AIM Name</b>	<i>No Information</i>
<b>Most active in</b>	<a href="#">United States &amp; Canada</a> 42 posts in this forum <small>( 61% of this member's active posts )</small>	<b>ICQ Number</b>	<i>No Information</i>
<b>User's local time</b>	Mar 9 2017, 03:25 AM	<b>Yahoo Identity</b>	dkk7318
		<b>MSN Identity</b>	<i>No Information</i>
		<b>Personal Message</b>	<a href="#">Click Here</a>
Information		Posting Details	
<b>Home Page</b>	<a href="#">http://</a>	<b>Member Group</b>	Members
<b>Birthday</b>	16 September 1961	<b>Member Title</b>	<i>No Information</i>
<b>Location</b>	ga	<b>Avatar</b>	
<b>Interests</b>	<i>No Information</i>	<b>Signature</b>	
<b>Member Rating:</b>	<div style="width: 100%;"><div style="width: 100%;"></div></div> (100%) <a href="#">View Who Rated</a>		
	Rate Member: <input type="text" value="10"/> <input type="button" value="Rate"/>		
<b>Gender</b>	Male		
<b>Country</b>	United States		
<b>State</b>	Georgia		



# Beastforum profile

- Screenname - maxfliga
- Date of birth – 9/16/61
- Email address – dkk7318@yahoo.com
- Located in “Metro area” GA



# Follow the leads

- Check social media profiles using email address – can help with name/address/place of business
- Google, other open source search engines
- Search other forums for same screenname
- Subpoenas for email addresses and other social media sites connected



## Evidence collection – on scene

- Photograph animal, injuries, and any physical evidence
- Photograph face/entire body from a distance to show injuries belong to that animal
- Videos/pictures, consider seizing computers (akin to pedophiles, many abusers record their acts and share them with other abusers in online forums; likely to find child pornography)
- Articles of the suspect's clothing or bedding containing blood or bodily fluids
- Scratches, bite marks, or blood on the suspect



# Veterinary evidence collection

- From “The Clinician’s Brief”
- **DO NOT WASH, CLEAN, SHAVE OR OTHERWISE TREAT THE ANIMAL PRIOR TO EVIDENCE COLLECTION.**
- Provide vet with step by step evidence collection suggestions
- In case of large animal you cannot transport, stay with animal until a veterinarian arrives.
- Remember to treat the animal as you would any other evidence during transport or the exam.



Examine the animal from head to toe and look for the following signs:

- Trauma to rectum, vagina, or penis – prolapse is often present.
- Abrasions or bruises that may have been caused by being restrained - look at the nape of the neck, ears, legs, and stomach etc.
- An animal that appears to be drugged.



- Photograph the entire animal and all injuries, before and after shaving/cleaning, with and without measurements
- Check for painful defecation/constipation - collect fecal samples if animal defecated after the assault.
- Comb animal over white sheet for human hair, check teeth for hair and fibers, scrape nails over separate sheet of white paper for each paw and deposit in envelope.
- Provide human sexual evidence kit to test for bodily fluids; if cannot be obtained, use sterile swabs sealed in a bag with the initials of the vet and officer overseeing collection



- Submit samples that may contain DNA evidence for forensic testing
- Use alternative light source (Wood's Lamp) to look for evidence of saliva, semen, vomit or blood on the animal's fur.
- Request detailed medical report, written legibly and in laymen terms so that any person can understand



## Notify other agencies

Notify appropriate protective agency if vulnerable individuals are present (children, women, elderly)

Bestiality is most commonly found among violent offenders, sex offenders and the sexually abused.

Sexual abuse of animals is often linked to domestic violence and the sexual abuse of women and children. Do your best to ensure the safety of any spouse or children in the home.



## Case building

- Determining custody
- Assessing the situation
- Documentation
- Enforcement options
- Seizure considerations



# Determining ownership/custodianship

- Abuse cases do not require a custodial relationship
- Minors cannot be owners, but can be charged in physical abuse cases regardless of custodianship
- Law may be very liberal - living on the same property often constitutes custodianship
- Any member of household with legal right to the area where the animal is kept can show investigators the animal if the owner/custodian is not present



# Assess the animal

- Look for signs of suffering
- Evaluate whether minimal standards of care are met



# Signs of suffering

## Physical

- laying down prolonged period of time
- looking or biting at a body part (side/legs/etc.)
- loss of appetite
- depression (lowered head)
- alteration in weight bearing, abnormal stance, reluctance to move
- glassy eyes, dilated pupils
- flared nostrils
- shaking

## Psychological

- stereotypical behavior (repeatedly seemingly mindless movements: weaving, stall walking, cribbing, head tossing, pawing, etc.)
- possibly aggression or fear



# Preparing the search warrant

- All animals live, dead, and unborn, above and below ground
- Why?
  - Allows for seizure of bodies for necropsy
  - Pregnant animals may give birth post-seizure, you could be ordered to return those born after the seizure
  - Some animals may appear to be in better condition – vet reports reveal non-obvious issues; all animals on property are at risk. We wouldn't leave a child behind!

**SEARCH WARRANT**

IN THE (DISTRICT) (COUNTY) COURT, TELLER COUNTY, STATE OF COLORADO  
CRIMINAL ACTION NUMBER \_\_\_\_\_  
Whereas Sergeant R.N. Olmsted U18W0604  
of a Search Warrant, and  
Whereas the application is in proper form and probable cause is found for the issuance of a Search Warrant to search the person(s) and/or premises specified in the application.  
THEREFORE, the applicant, and any other peace officer into whose hands this Search Warrant shall come, is hereby ordered, with the necessary and proper assistance, to enter and search within the next ten (10) days the person, premises, location and any appurtenances thereto, description of which is: Any and all motor vehicles located on the property which may contain evidence to include a 2001 green Dodge Stratus VIN# 1B3EJ6XZ1NS18288 with a Colorado Temporary plate of 42597J located in the rear window. All of which is located in the unincorporated area of the County of Teller, State of Colorado.

The following person(s), property or thing(s) will be searched for, and if found seized:  
The "Attachment B" attached hereto is hereby incorporated by reference.  
See Attachment "B"  
as probable cause has been found to believe that it:

- Is stolen or embezzled, or
- Is designed or intended for use in committing a criminal offense, or
- Is or has been used as a means of committing a criminal offense, or
- Is illegal to possess, or
- Would be material evidence in a subsequent criminal prosecution, or required, authorized or permitted by a statute of the State of Colorado, or
- Is a person, property or thing the seizure of which is expressly required, authorized or permitted by a statute of the State of Colorado, or
- Is kept, stored, transported, sold, dispensed, or possessed in violation of a statute of the State of Colorado under circumstances involving a serious threat to the public safety, or order, or to the public health.

(Mark "X" according to fact)  
Furthermore, a copy of this warrant is to be left with the person whose premises or person is searched along with a list of any and all items seized at the time of its execution. If said person cannot be located or identified, a copy of any and all items seized shall be left at the place from which the property was taken.  
Further, a return shall be promptly made to this Court upon the execution of this Search Warrant along with an inventory of any property taken. The property seized shall be held in some safe place until the Court shall further order.

Done by the Court this 25 day of February, 2011  
Judge: Edith JG



## Preparing the search warrant (cont.)

- Specify the entire property including all outbuildings
- All implements, paraphernalia, medication, etc.
- Vet records and other paperwork relating to care of animals

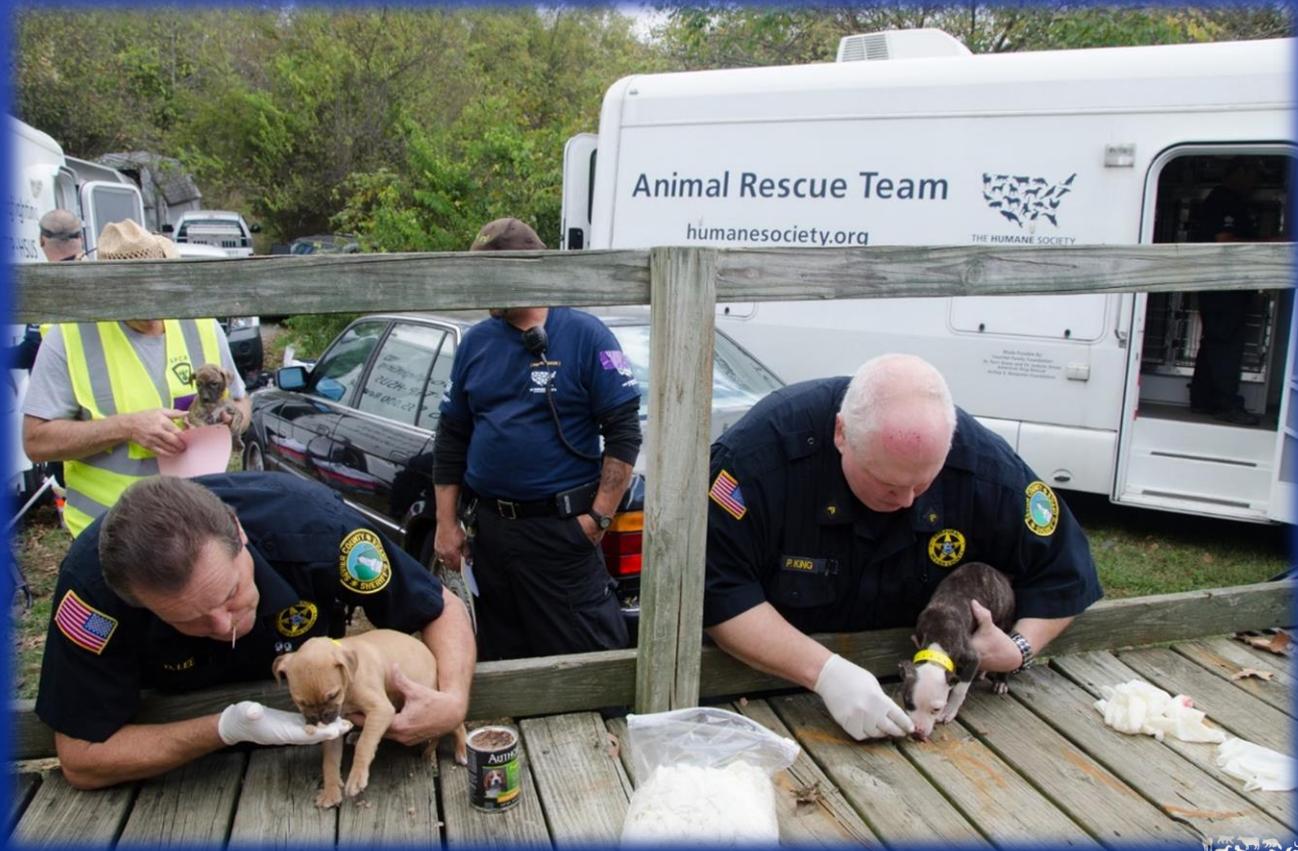


# Critical resources

- Veterinarians
- Animal welfare professionals
  - humane societies
  - shelters
  - stables
  - groomers, etc.
- Social service agencies
  - family shelters, child and adult service agencies
- Department of Agriculture
- Department of Health



# Executing the warrant



# Evidence documentation

- Your case relies upon the investigator's work
- Defense may invest time and money to mounting defense
- What should be documented?



# Evidence documentation

- All property (*including the animals!*) must be labeled and inventoried
- Photos, vet assessments, written reports
- Chain of custody should be as short as possible and documented (i.e. – use a transport log)



# Photo documentation

- All animals on the property—even deceased
- Living environment - food and water bowls, bedding or supplies, enclosures, animal waste, tie-outs or restraints



Photos should be taken of entire scene  
prior to removing any animals.



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Then, pictures should be taken of individual animals and conditions.





1. What was photographer trying to show?
2. Effective, why or why not?



1. What was photographer trying to show?
2. Effective, why or why not?



1. What was photographer trying to show?
2. Effective, why or why not?





How could these photos be improved?

# Evidence documentation: video

- Can show nuances still photos cannot capture
- Make sure to record entire scene relating to animals' conditions
  - Maintain professionalism – be mindful of audio. 😊



# Video vs. Photos



# Veterinary assessment

- If not possible, animals should be transported directly to a vet for examination after physical and living conditions have been thoroughly documented



- Animals should be taken to vet for an exam and additional photographs
- Vets should do basic general exam including body condition scoring and medical sheet



- Vets are not always trained in providing reports or testifying at trial
- Ask for specific findings and conclusions
- Language a layman can understand
- Ask for an opinion for causes of injuries or death, if known
- Provide a sample report if they have not worked a cruelty case before



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**ANIMAL PATIENT MEDICAL RECORD** Intake Number \_\_\_\_\_

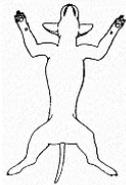
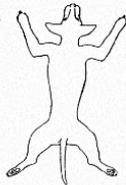
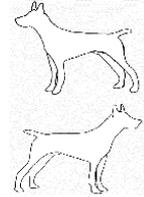
Deployment/Event \_\_\_\_\_ Clinician(s) \_\_\_\_\_ Initials \_\_\_\_\_

Location \_\_\_\_\_ Time \_\_\_\_\_ am/pm (circle one) Date \_\_\_\_\_ Gender: M / F (circle)

Breed: \_\_\_\_\_ Color: \_\_\_\_\_ Neuter: Y / N (circle) Age/Birth \_\_\_\_\_ Est./Act. (circle)

Current Weight \_\_\_\_\_ kg/lb (circle) est/act. (circle) Ear Tag # \_\_\_\_\_ Brand/Tattoo \_\_\_\_\_

Already Chipped: Y / N Microchip # \_\_\_\_\_

EXAM	T	P	R	Weight	#
Sensorium N Abn	Integ. N Abn	Ears N Abn	Heart N Abn	MescSkel N Abn	
Pain Yes No	L. Nodes N Abn	Nose N Abn	Lungs N Abn	Neurol. N Abn	
Hydration N Abn	Eyes N Abn	Mouth N Abn NE	Abdomen N Abn	Urogen. N Abn	
Body Condition: (circle)	Emaciated (1)	Very Thin (2)	Thin (3)	Underweight (4)	
	Ideal (5)	Overweight (6)	Heavy (7)	Obese (8)	Grossly Obese (9)

Medical Findings: \_\_\_\_\_

Assessment/Plan: \_\_\_\_\_

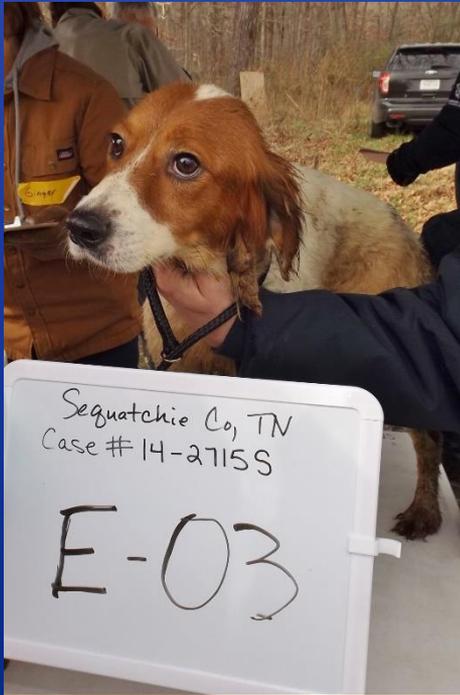
Vaccinations:

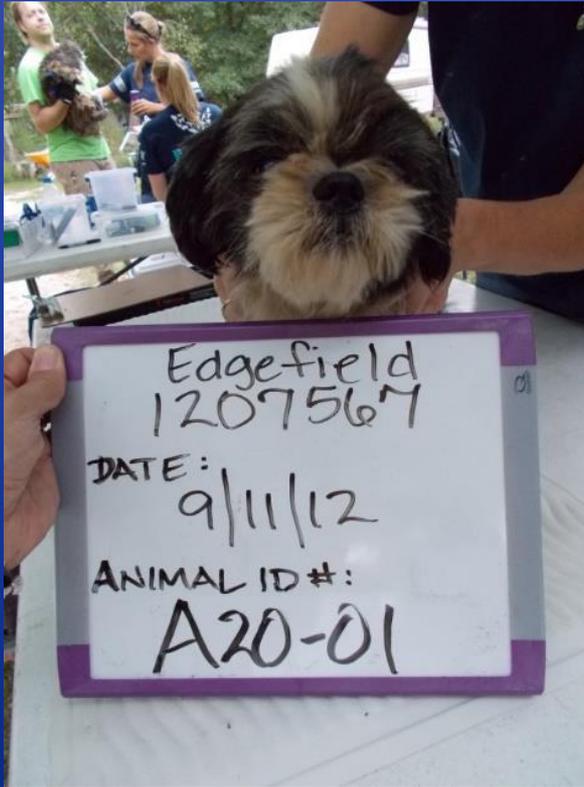
No Vaccination due to Age     No Vaccination due to Medical

<input type="checkbox"/> CBC/Chem <input type="checkbox"/> UA <input type="checkbox"/> Fecal	Rabies: <input type="checkbox"/> 1 Year <input type="checkbox"/> 3 Year	
<input type="checkbox"/> HWI: <input type="checkbox"/> Neg. <input type="checkbox"/> Pos.	Date: _____	(Label)
De wormer: Type: _____	Distemper: <input type="checkbox"/> DHPP <input type="checkbox"/> DHLPP	
Dosage: _____ Date: _____	Date: _____	(Label)
Ext. Parasite: <input type="checkbox"/> Frontline <input type="checkbox"/> Revolution	Bordetella: Date: _____	(Label)
Date: _____		



Close up photos should be taken during veterinary exams.  
Include identification number.







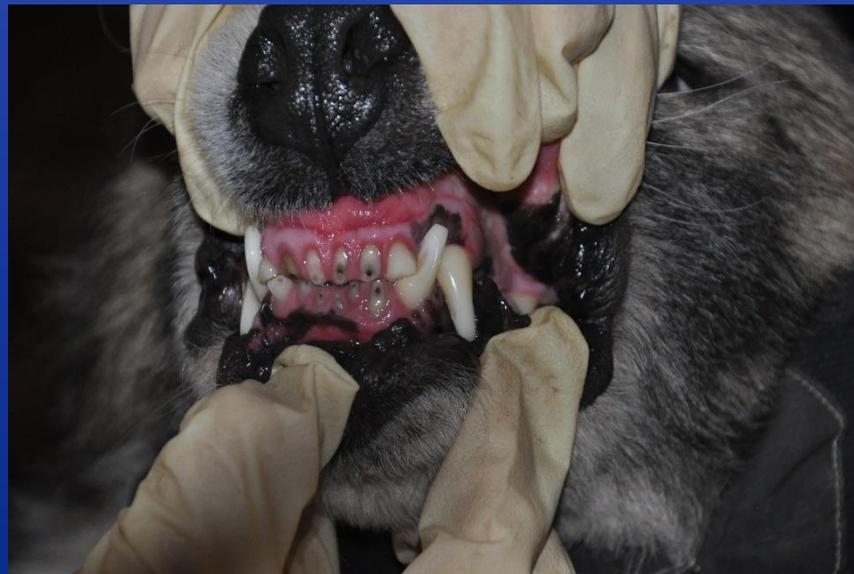


Photos should be taken from multiple angles.



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Close-ups of wounds and injuries.



# Necropsy

- Depending on specific findings, there may be additional charges
- If animal is deceased, vet should conduct necropsy to determine:
  - Survival period
  - Estimated time of death
  - Primary cause of morbidity/mortality
  - Contributory causes of death



## \*\*\* Sample Necropsy Report \*\*\*

Accession Number: N2004-11  
Hospital Name: Some Great Veterinary Hospital  
Hospital Address: 1919 West Burbank St, Ontario, CA 91763  
Hospital Telephone #: 909-993-5545  
Doctor's Name: Dr. Goodvet  
Owner's Name: Vader, Lucious  
Pet's Name: Candy  
Sex: Female (Spayed)  
Age: 6 years  
Species: Canine  
Necropsy Date: 09-10-2004

### HISTORY

Candy had no history of significant illness. She was fine at 7:00pm on 09-09-2004 when observed by her owners. When she was observed again at around 10:30pm she was dead. She was delivered DOA to the veterinary hospital.

### GROSS EXAMINATION

The animal submitted for necropsy is Candy, a spayed female Australian Shepard canine (Figures 1 - 2). The animal measures approximately 39 inches from nose tip to tail-base. The hair coat is medium-long and is mostly light brown and white in color.

Figure 1



Figure 2



# Necropsy/bone marrow tests

- Refrigerate or place on dry ice on dry ice – freezing the body should be a last resort.
- Bone marrow test – send femur bone (rear thighbone) for bone marrow test. The bone marrow is typically the last place in the body to lose fat.
- Document what is in the stomach – rocks, bark, etc.



# Report writing

What makes a good report?

- Short, straightforward
- Clear and specific
- Simple language
- Observable facts



## Report 1

- “Mr. Jones says he feeds dog twice daily and thinks dog is thin because of worms.”

## Report 2

- “Dog is thin due to worms.”



## Report 1

- “Dog was starving.”



## Report 2

- “Dog was extremely underweight with ribs, backbone, pelvic bones, all clearly visible. When presented with food, dog gobbled it down immediately and searched the ground for more.”

## Report 1

- “Snowing, no shelter, impounded dog”



## Report 2

- “Jan. 2. 2013 Temp 29 degrees, 18 degrees with wind chill, snowing with 1” accumulation. No response to knocking at front and rear doors. Found short-haired, male x-breed dog on approx. 6 ft. chain, barely long enough to allow him to doghouse. Dog was curled up tightly in a ball and visibly shivering with snow accumulated on him. Doghouse was 3-sided, no bedding, no platform, side and roof boards missing, dog not protected from weather. Could feel no body warmth, possible hypothermic. Impounded dog to protect his health and safety and left attached notice taped to front door.”

# Prosecutorial evaluation of the case

- Strengths or most compelling aspects of the case?
- If neglect, is custody clear?
- Evidence of intent?
- Veterinarian(s) opinion?
- Has evidence been handled properly?
- Possible defenses/mitigating circumstances?
- Other charges filed besides cruelty?



## Which animal victims to charge?

- With larger # of animals, some prosecutors may choose only the most egregious and easily proven instances of abuse
- In most cases multiple counts may be filed using each instance of abuse as a distinct offense
- Use standards of care to assess best candidates to charge (if not all)



# How many charges?

- Treat these cases like any other crime: if a person vandalized 20 different homes you would likely charge 20 counts
- Important to bring all charges in one complaint so judge has a full picture of the circumstances
- Can provide context down the line for others who are not intimately involved with case



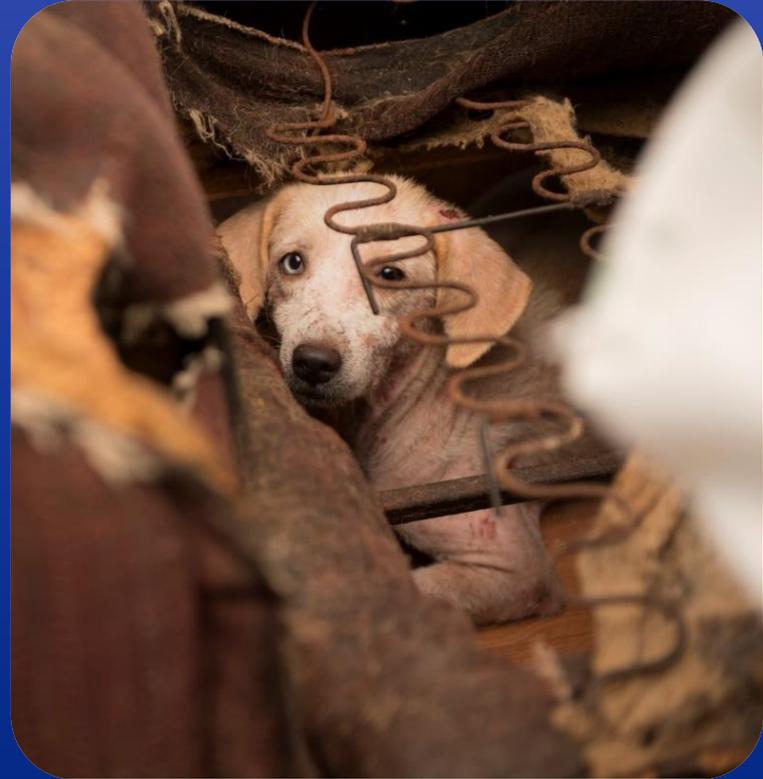
# What about the healthy animals?

- Document all animals, including those who appear healthy
- Their presence does not undermine cruelty charges
- These animals are likely still at risk
- Many reasons for varying conditions:
  - Survival of the fittest (especially in group housing)
  - Animals in better condition may have arrived later
  - The fact a person is caring for some animals can show knowledge of what is required



# Pre-trial motions

- Possession ban as condition of release
  - Cost of care/forfeiture hearing



# Cost of care

- Surrender is ideal
- If unattained, local authorities must provide care until case is adjudicated
- If allowed by law, request court to require defendants to post a bond or security towards cost of care
- Usually based on a reasonable cost of care per animal per day, must be paid in advance on a month-by-month basis
- Failure to comply typically results in forfeiture of animals
- Look into lien/foreclosure statutes



# Motions in Limine

- Motion to admit necropsy photos
- Motion to call animal by name in trial
- Motion for prior bad acts of dog
- Motion for prior bad acts of owner (Check all agencies)



# Plea agreement considerations

- Whenever possible, animal abuse charges should not be reduced or dismissed, even in exchange for a more “serious” charge
- These charges should seldom, if ever, be eligible for pretrial intervention programs



## Plea agreement considerations

- Can trigger special statutory sanctions, enhanced future penalties, and requirements from the court during probation, including specialized animal abuse treatment, ban on possessing animals, etc.
- Must preserve record of these crimes to serve as warning to judges, prosecutors, police, probation officers, as well as agencies involved in overseeing a defendant or helping a victim
- If he/she offends again, critical to show history of neglect/abuse

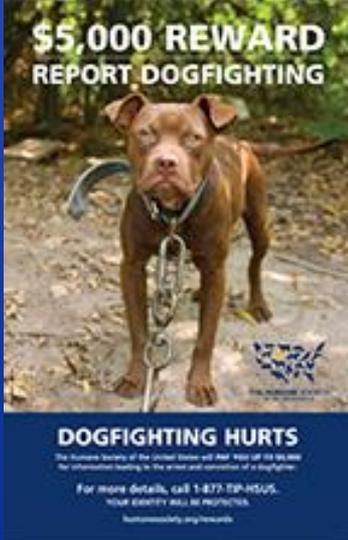


# Sentencing considerations

- Long-term forfeiture of pet ownership
- Animal cruelty prevention programs (psychological counseling)
- Periodic unannounced rechecks
- For youthful offenders, ban contact with accomplices
- Court-ordered psychological evaluation
- Do not recommend community service with animals



**HSUS tip line  
1-877-TIP-HSUS**



**\$5,000 REWARD  
REPORT DOGFIGHTING**

**DOG FIGHTING HURTS**  
The Humane Society of the United States will offer \$5,000 for information leading to the arrest and conviction of a dogfighter.

For more details, call 1-877-TIP-HSUS.  
YOUR IDENTITY WILL BE PROTECTED.  
[hussociety.org/rewards](http://hussociety.org/rewards)



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# Thank you!

