Link Provisions Included in Massachusetts PAWS Act

More than 76 state legislators in Massachusetts have signed on as sponsors of the PAWS Act – Protecting Animal Welfare and Safety – that includes several key LINK provisions in its broad approach to update animal welfare laws in the Commonwealth.

The bill, currently listed as Senate Docket No. 1898 awaiting filing, would allow courts to expand penalties for animal cruelty convictions beyond established limits when the offense occurred in front of a minor child. Such a situation, or convictions involving a large number of animals, premeditation and planning, or cruelty conducted for financial benefit, would constitute a finding of “extreme atrocity and cruelty.” The established fine and incarceration term limits would also be expanded with additional penalties for second and subsequent offenses.

The bill would also mandate veterinarians to report suspected cruelty to police or humane agents with immunity from civil and criminal liability for good-faith reporting. Failure to report could result in a fine of up to $1,000. Currently, veterinarians are granted immunity if they make a report but are not required to do so.

The provision for increased penalties for animal abuse perpetrated in front of a child follows a trend in other states that are recognizing such traumatizing incidents as Adverse Childhood Experiences.

Oregon’s Senate Bill 6, signed into law on July 15, increases penalties for animal neglect in the presence of a child. New York’s Assembly Bill 706, currently in the Codes committee, would include animal cruelty committed in the presence of a child as an act of endangering a child’s welfare and within the definition of a neglected or maltreated child.

Other provisions in the Massachusetts PAWS Act would establish a statewide toll-free hotline for reporting animal cruelty, create a statewide registry of convicted animal abusers, and allow law enforcement and humane investigation officers to conduct warrantless entries to provide immediate assistance under exigent circumstances to animals when there is a reasonable belief of an imminent threat of death or grave injury.
Link Research Prompts Two Law Enforcement Initiatives

**Baltimore Police Directive Increases Cruelty Enforcement**

Citing studies that have shown “a direct correlation between abuse of animals and the potential for future violence against people,” the Baltimore, Md. Police Commissioner issued an order on Oct. 10 to recognize cases of animal cruelty, abuse and neglect as “serious crimes.” The new policy, noting that “animal cruelty cases deserve major attention in their own right,” calls on the Police Department to work in concert with the Baltimore City Health Department and the State’s Attorney’s Office to provide for the protection of animals from abuse, cruelty and neglect.

The order includes a protocol for how cases will be investigated and suspects arrested, including the mobilization of the Mobile Crime Lab as necessary to collect evidence and photograph the crime scene and the animal. The protocol also includes provisions for contacting Animal Control when animals are in immediate need of aid, and the K-9 Unit for follow-up investigations and assistance. The protocol includes specific questions that police officers should ask and information they should gather during their investigations.

The new policy is the result of several years’ work by the Baltimore Mayor’s Anti-Animal Abuse Commission.

**Georgia District Attorney Launches Link-Based Prosecution Unit**

The likelihood that unaddressed animal cruelty could lead to domestic violence and elder abuse cases has prompted Cobb County, Ga. District Attorney Vic Reynolds to create a new unit to streamline and bring expertise to felony animal abuse cases. Sherwin Figueroa and Theresa Schiefer, who joined the D.A.’s office earlier this year, are the new Animal Abuse Unit and will prosecute all cases where animal cruelty is the main charge.

The move comes in response to seven felony-level aggravated cruelty cases since 2011. “I’m very much in support of this,” Reynolds told the Marietta Daily Journal. “The last couple of [animal abuse cases] we’ve seen have been pretty brutal, and we want to get out in front of this thing while we can. We want folks to know that when you commit this type of crime here, there’s going to be some consequences for it.”

Schiefer and Figueroa said their interest in prosecuting these cases was piqued when they learned of the correlations between animal abuse and other crimes such as domestic violence and elder abuse. Schiefer said that while working in domestic violence cases in law school, situations repeatedly occurred where children were scared of the abuser because he was threatening to kill their pets. “It’s not necessarily that the child would go to school with a black eye but the child was intimidated,” said Schiefer.
**Domestic Violence Programs Working to Help Pets**

*California Group Helps Survivors and Pets Escape*

A new group in Montrose, Calif., is working to help people and animals escape domestic violence together. HAVEN-CA was founded by a domestic violence survivor to fill a gap in services when women’s shelters lack housing for animals. Executive Director Amarilla Blondia reports the organization is providing free emergency housing for any animal – from a hamster to a horse – for up to 60 days at no charge to anyone escaping domestic violence in Southern California. HAVEN will also provide free veterinary emergency, preventative and spay/neuter care; assistance in transporting pets to accompany their owners to safety; and pet food and supplies the families may need after reaching safety. The group is also providing pet supplies for domestic violence shelters and assisting those organizations with including pets in safety planning. They are also helping victims to include pets in protection orders and to establish proof of ownership of their pets.

Outreach programs include cross-training human services and animal protection agencies on The Link, raising public awareness, and participating in domestic violence task forces. Planned activities may include therapy dogs for domestic violence survivors and their children, school education programs, and providing funds for hotel stays and rental property pet deposits to enable the pets to remain with the family.

**First Domestic Violence Pet Program Comes to Spain**

What is believed to be the first program in Spain to offer care for the animal victims of domestic violence situations has been announced by Spain’s Link coalition, GEVHA (Grupo para el Estudio de la Violencia hacia Humanos y Animales). The Paws Freedom Link program temporarily or permanently welcomes pets of victims of family violence.

GEVHA founder Dr. Nuria Querol reports that the premise behind PFL is the same as with more established programs in the U.S. and elsewhere: to prevent animals from becoming objects of revenge or control over the partner and children, and to enable those living under this abuse to escape.

Spain, however, lacks pet protection order laws that enable judges to include animals in protection-from-abuse orders, and no women’s shelters in the nation allow residential pets to accompany survivors. Several animal protection organizations scattered throughout Spain will shelter and maintain these animals, ensuring maximum confidentiality and privacy for the victims and security to prevent the abusers from reclaiming the animals.
**Child Abuse Professionals Addressing The Link**

*Children’s Advocacy Center Adopts Animal Therapy Program*

The therapeutic potential for animals working with at-risk and vulnerable people has long been established, and a growing number of Children’s Advocacy Centers (CACs) have begun using therapy animals in their programming. One such CAC is Harcum House in Lancaster, Ohio, under whose aegis a humane education, animal-assisted therapy, reading, and nature education program called The Connection is blossoming.

The **Connection Bringing People, Animals and Nature Together** was formed in 2010 when Judi Levicoff, Christina Price and Audra McMurray got together at a Fairfield Medical Center meeting for prospective animal-therapy volunteers. Their fledgling concept earned the support of the Family, Adult and Children First Council for Fairfield County which was seeking innovative, uplifting programming in light of rising drug problems and family instability rates.

The Connection began bringing therapy dog teams to the Fairfield County District Library to help children enhance their literacy skills, and later entered into a partnership with FairHoPe Hospice & Palliative Care. It later became a program of Harcum House.

CACs are community partnerships that use a facility-based, multi-disciplinary approach to address child abuse. CACs are one-stop centers where law enforcement, prosecution, children’s services, victim services, mental health and medical professionals can come together, in a non-threatening environment, to work with victims of child physical and sexual abuse. CACs work cooperatively to ensure that children are not further victimized and receive comprehensive and coordinated services.

**Chicago Child Welfare Judges Learn About The Link**

Cynthia Bathurst, a representative of the **Animals and Society Institute**, gave a presentation on “Animal Abuse and Youth: What You Need to Know” to the October meeting of child welfare judges of the Cook County Circuit Court Child Protection Division. Twelve judges spent four hours learning about the AniCare Child model of assessment and treatment for juvenile animal cruelty offenders, and programs such as Lifetime Bonds, which pairs children with dogs to foster empathy.

“It seemed that this presentation opened up a couple of new doors for them that they were very interested in,” Bathurst reported. A similar talk on October 22 to 15 representatives from Chicago-area public health, youth and community groups, focusing on the connection between animal abuse and other types of violence, led to an invitation for her to serve on a panel for Childhood Exposure to Violence Prevention and Awareness Week in Chicago in April, 2014.
NEWS FROM LINK COALITIONS

Conference about The Link at the University of Zaragoza

Dr. Núria Querol, head of Spain’s GEVHA Link coalition and a representative of the National Link Coalition, and Dr. José Enrique Zaldívar, from AVATMA (Association of Veterinarians for the Abolition of Bullfighting and Animal Abuse, were invited by Amnistía Animal to give two lectures at the University of Zaragoza in October. Dr. Querol spoke about The Link, recent studies, and introduced SAF-T and Spain’s Freedom Paws Link Program.

The audience included representatives from APDA (Asociación de Policías por la Defensa Animal: Association of Police Officers for the Defense of Animals) and several political parties including Congressman Chesús Yuste who believes The Link must be part of the political agenda.

Alberta Alliance for the Safety of Animals and People Moves Ahead

The Alberta, Canada, Alliance for the Safety of Animals and People is moving ahead on numerous projects, coordinator Tim Battle reports.

The Alberta SPCA has printed two new publications. Continuing demand has resulted in the issuing of a 3rd edition of its renowned Cruelty Connection guide to The Link, which includes results from the 2012 study on the role of animals in decision-making by domestic violence victims in rural Alberta. Meanwhile, the SPCA has published a new pamphlet, Get Out and Keep Them Safe, Too! The flyer advises attorneys, court officials and domestic violence advocates and survivors on what they can do to use the Alberta Protection Against Family Violence Act to include pets in protection-from-abuse orders even in the absence of a specific pet protection order provision as 24 U.S. jurisdictions have. The flyer was a joint project with the Centre for Public Legal Education of Alberta in response to lawyers believing that animals could not be included in protective orders.

AASAP exhibited with a booth at the CanWest Veterinary Conference in Banff in October, and presented a family violence training and the results of the study to the John Howard Society of Canada.
The Link in the Literature

Why Don’t Psychologists Pay More Attention to Children’s Acts of Animal Cruelty?
While children’s intentional acts of animal cruelty have been examined theoretically and empirically for many years and a well-developed literature base suggests that this aberrant behavior is a criterion for conduct disorder warranting close and immediate attention, psychologists tend to overlook disclosures of cruelty to animals in cases where conduct disorder is not indicated. By not responding to animal abuse in cases not suggestive of conduct disorder, clinicians are missing an important red flag for other behavioral and emotional disturbances and abuse. This study of 69 psychologists in Australia reported that most participants endorsed animal abuse as a key indicator only within scenarios that met the criteria for a diagnosis of conduct disorder; even when cruelty was acknowledged as a significant indicator, few listed it as a primary area for intervention.


Animal Abuse Among Men Arrested for Domestic Violence
This study examined the prevalence of adulthood animal abuse perpetration and its association with psychological and physical intimate partner violence, antisocial traits, and alcohol use in a sample of 307 men arrested for domestic violence. 41% of the men committed at least one act of animal abuse since the age of 18, in contrast to the 3% prevalence rate reported by men in the general population. Findings were consistent with past research showing associations between intimate partner violence, adulthood animal abuse, antisocial traits, and alcohol use. Further, even after controlling for antisocial traits and alcohol use, adulthood animal abuse showed a trend towards a significant association with the perpetration of physical and severe psychological intimate partner violence.


First-Person Accounts of The Link
Five-year-old Ricky Hunter was abducted by a pedophile in 1953. She escaped to be able to tell her story of terror, which continued years later in a marriage to an abuser who, as she writes, “recognized the invisible VICTIM tattoo on my forehead.” The toxic, corrosive abuse continued with the abuser taking his violence out on their son, who was left with brain damage, multiple disabilities and life-long medical care stemming from shaken baby syndrome. The horror continued even after fleeing from her native New Zealand to Australia, when he pursued and stalked her. Today, Hunter is recovering from PTSD and trains about healthy relationships and the link between pet abuse and domestic violence. She is an avid advocate for the RSPCA’s Pets in Crisis program for domestic violence survivors. The horrific stories recounted in these two personal memoirs are frightfully real, offering testimony to the vitality of the human spirit and guideposts for others trying to escape from private prisons. The books are “a call for healthcare professionals to have in their kitbags knowledge of the complex effects of interpersonal childhood trauma,” including animal cruelty, and how they manifest throughout the lifespan.

Animal Abuse and Animal Shelter Medicine

The premier reference on animal shelter medicine, originally published in 2004, has been newly-revised and includes extensive information on the investigation of, and response to, various forms of animal cruelty and their implications for human welfare. *Shelter Medicine for Veterinarians and Staff, 2nd Edition*, edited by the ASPCA’s Lila Miller and Stephen Zawistowski, includes seven chapters on animal cruelty laws, veterinary forensics, animal hoarding, animal fighting, and equine cruelty. Now in full color, this 717-page, fully updated new edition promises to continue to be the go-to resource for anyone concerned with animal shelter health and management.


Veterinary Forensics and Animal Abuse

Melinda Merck’s seminal 2007 book, *Veterinary Forensics: Animal Cruelty Investigations*, has been newly updated into a more extensive and exhaustive second edition covering the veterinarian’s role and responsibilities in animal cruelty cases and techniques for CSI-type examinations. This 402-page standard reference manual includes chapters on animal fighting, hoarding and sexual abuse, and animal death or injury in suspicious human death and injury cases. A new feature is the inclusion of the Colorado Veterinary Medical Association’s Protocol for Mandatory Reporting of Animal Cruelty and Animal Fighting.


What Are the Roles of Pets for Abused Children?

Link interconnections between animal and child victimization are numerous. This research study used a qualitative content analysis of abused children’s personal and published accounts of their experiences with pets to report that pets offer these children a lifeline in the form of emotional social support. However, these children become entangled in their pet’s victimization in various ways by the perpetrator’s perversion of this social support. Although children often resist this perversion, they ultimately face a challenge to their identity.

Protocols for Veterinarians’ Reporting of Abuse Available

Colorado is one of 14 states in which veterinarians are specifically mandated to report suspected animal abuse and/or fighting (and one of only three in which they are also mandated reporters of child or elder abuse). To guide practitioners through the challenges of recognizing and reporting suspected animal cruelty, the Colorado Veterinary Medical Association has published several resources that could be easily adapted for use in other states as well.

The CVMA website includes a protocol and issue briefing for reporting animal abuse; a training PowerPoint; the Colorado Department of Agriculture’s report form; two articles reviewing what veterinarians need to know about reporting animal abuse and child abuse; statistical data on non-accidental injury in dogs and cats; and links to the American and Canadian Veterinary Medical Associations.

The Protocol includes: a review of animal cruelty, fighting and mandatory reporting laws; a 9-step process if the veterinarian suspects animal abuse; related family violence concerns; how to include findings in the medical record; common patterns of non-accidental injury; and a primer for reporting.

THE LINK IN THE NEWS

Sex Offender Charged in Animal Sex Assault

An Alton, Ill. man listed on the Illinois state registry of child sex offenders has been charged with three felony counts of sexual conduct with an animal for allegedly having sex on three occasions with a Rottweiler puppy named Lucy. The Madison County Attorney’s Office charged Terry Wayne Davis, 43, in the incidents in a case that Alton Police Chief Jake Simmons said was treated as a sexual assault case. “It is very troubling and deplorable for somebody to do this to an animal,” Simmons told the Alton Telegraph. Bail was set at $50,000 for Davis, who was placed on the sex registry 10 years ago for forcing a 16-year-old to have sex with him. Neither Simmons nor detectives who handle child abuse and sexual assault cases could recall ever handling a similar case in over 25 years of police work. “The Alton Police Department takes all sex offenses seriously,” said Simmons. “We are happy to report that Lucy has been seen by the vet and suffered no physical injuries as a result of these incidents. Hopefully we were able to stop Davis before his behavior escalated and he went after, or hurt, anyone else.”

Man Charged with Killing Mother’s Three Dogs in Jealous Rage

While many cases of animal abuse are linked to domestic violence because the abuser is jealous of the attention his partner pays to her pets, a Melbourne, Fla. man was arrested in October for killing three of his mother’s dogs because he thought she loved them more than him. A fourth dog, injured in the attack, was reported to be recovering at an animal hospital. Deputies responding to a hung-up 911 call found Adam Kosa, 22 sitting on the front porch of his home covered in blood and holding a box cutter. WKMG-TV reported that Kosa admitted attacking the dogs because he was mad at his mother. Two other dogs were not injured in the incident. Kosa was reportedly arrested previously on domestic violence charges which were subsequently dismissed.
Domestic Violence Call Leads to Child Endangerment, Animal Cruelty Charges

Police in the Richmond Hill section of New York City responding to a complaint of a domestic altercation were shocked to find four children, several poisonous snakes and reptiles, and 15 dogs – many of whom had been badly abused – living in a filthy apartment littered with garbage, rotten food and dog feces. EMS and law enforcement officials responding to the scene described the children as being “in terrible danger.”

Jasean Holmes, 29, was charged with endangering the welfare of a child and cruelty to animals. Police told The Forum newspaper that the address has a history of domestic violence incidents but that the wife had always refused to cooperate with police and press charges. There were reports that Holmes may have used the snakes to threaten the children, ages 7 – 12, when they misbehaved. The children were taken to hospitals and transferred to Children’s Services; the animals were turned over to Animal Care & Control.

Four Young Boys Charged in Kitten Cruelty Case

Police in Chandler, Ariz. are asking whether four young boys who were charged with animal cruelty are heading down a path that will lead them to interpersonal violence. The four boys, all between the ages of 7 and 12, were observed on video surveillance at a trailer park playground pushing a dog down a slide into a kitten, then hitting the kitten with a soccer ball, kicking it repeatedly, throwing it to the ground and tossing it into a pool. The kitten eventually died from its injuries and the boys were taken to juvenile detention on felony animal cruelty charges. “The question is will this type of behavior then escalate to would they do this to another child or as they get older would they do this to adults?” police Sgt. Joe Favazzo asked KTVK-TV.

Extreme Cruelty Charged in Domestic Violence/Animal Abuse Case

An Albuquerque, N. Mex. man was charged with extreme animal cruelty for allegedly slamming his girlfriend’s kitten to the ground during a domestic dispute. Mason Hern, 31, was being held under $5,000 bail following the 1 a.m. incident. Police told the Albuquerque Journal that officers and the girlfriend asked Hern, who was reportedly intoxicated, to leave; he responded by picking up the kitten, named Candy, and violently throwing it down, killing it.
The Link in the Legislatures

**Reporting and cross-reporting:**

**District of Columbia B20-0153** would amend the DC Official Code to incorporate veterinary medicine as a health profession. Under this new classification, veterinarians and veterinary technicians would become mandated reporters of suspected child abuse and neglect.

**Massachusetts SB767** would allow any person to file a nuisance suit against another person or entity that subjects an animal to conduct which poses a risk to its life, health or safety.

**New York A3766** would require anyone who enforces animal cruelty laws to report suspected child abuse or maltreatment, and any person mandated to report child abuse or maltreatment to file a report of suspected animal abuse or maltreatment. The bill is in the Social Services Committee.

**New York A3283** would require any employee of a veterinary hospital or clinic, boarding kennel, shelter or rescue center, or facility that provides services for animals to report an animal’s injury, illness, or condition to the police if animal cruelty or abuse is suspected. Employees who reasonably and in good faith file such reports would be immune from civil or criminal liability. The bill is in the Agriculture Committee.

**Wisconsin SB 199** would require veterinarians to report all suspected animal abuse, with immunity from civil liability for good-faith reporting. Currently they are mandated to report only suspected animal fighting and lack immunity. The bill is in the Judiciary and Labor Committee.

**Animal Abuse in the Presence of a Child**

**Massachusetts Senate Docket 1898** awaiting filing, the PAWS Act (Protecting Animal Welfare and Safety), would define animal abuse committed in the presence of a child as “extreme atrocity and cruelty” with enhanced penalties. It would mandate veterinarians to report suspected animal cruelty with immunity from civil and criminal liability for good-faith reporting. The bill would create a statewide animal abuse hotline and registry of animal abuse offenders.

**New York A706** would include animal cruelty in the presence of a child as an element in endangering a child’s welfare, and within the definition of a neglected or maltreated child. It has been referred to the Codes Committee.

**Oregon SB6** was signed into law on July 15. The act increases the punishment for animal neglect in the first degree to a maximum of 5 years imprisonment and/or a $125,000 fine for repeat offenders, offenses involving 10 or more animals, or neglect that occurs in the presence of a minor child.

**Animal Hoarding**

**Pennsylvania HB 860** would establish a new crime of animal hoarding, a third-degree misdemeanor, and require a psychological evaluation prior to sentencing. The bill is in the Judiciary Committee.
Domestic Violence/Pet Protection Orders

Ohio HB 243 and SB 177 would allow courts to include companion animals in domestic violence, anti-stalking and temporary protection orders. HB 243 would also require children adjudicated as delinquent for committing animal cruelty to undergo psychological evaluation and counseling, and adult offenders to be sentenced to probation supervision.

Michigan SB 286 would amend the Code of Criminal procedure’s sentencing guidelines, which are based on point scores that consider offense variables and prior record, to assign points for killing or torturing of animals that result in serious psychological injury to the animal’s owner requiring professional treatment, or that exploits a domestic relationship for selfish or unethical purposes. The bill would also require points for animal cruelty that is in violation of a personal protection order. The bill was scheduled for a third reading in the Senate.

New Jersey A 916 would authorize courts to include animals in domestic violence restraining orders. The bill is in the Assembly Judiciary Committee.

Animal Abuse and Other Crimes

Florida HB 851 was signed into law on June 28. It adds illegal animal fighting to crimes that can be prosecuted as “racketeering activities” under Florida’s RICO Act. Racketeering includes committing, attempting to commit, conspiring to commit, or to solicit, coerce or intimidate another person to commit a crime under the RICO classification.

Testimony that animal cruelty frequently leads to other crimes was presented in support of Hawaii SB 9, which was signed into law July 2. The law prohibits a person convicted of animal cruelty in the first degree from owning any pet or horse for a period of five years.

Massachusetts HB1594 would replace the archaic definition of bestiality as “the abominable and detestable crime against nature, either with mankind or with a beast,” with more contemporary terminology making it illegal to “commit a sexual act upon an animal, use an object to sexually abuse an animal, or knowingly permit a sexual act with an animal.” A companion measure, SB654, would also repeal other sections of Massachusetts’ “Crimes Against Chastity, Morality, Decency and Good Order”) that make fornication, adultery, providing contraceptives, abortion, blasphemy, and tramps riding freight trains illegal.

Link Training Opportunities

To subscribe to The Link-Letter (it’s free!) – Just send an e-mail to Coordinator Phil Arkow (arkowpets@snip.net) and tell us what organization(s) you’re with and where you’re located.

Nov. 19 – (online): Geoff Fleck will present a free webinar on “Common Issues when Investigating and Prosecuting Animal Neglect Cases,” in a webinar series presented by the National District Attorneys Association’s National Center for Prosecution of Animal Abuse, in partnership with the ASPCA and the Animal Legal Defense Fund.
Nov. 20 – High Level, Alberta, Canada: Tim Battle will present the results of the Alberta study on The Link and the impact of animals in decision-making among rural women at the Voices Against Violence conference.

Nov. 20-23 – Atlanta, Ga.: Nuria Querol i Vinas will discuss “Animal Abuse and Family Violence in Spain” at the American Society of Criminology Annual Meeting.

Nov. 21 – San Antonio, Texas: Phil Arkow will present on “Animal Abuse, Elder Abuse and Hoarding: Challenges and Strategies for Adult Protective Services” at the 30th Annual APS Conference.


Dec. 18 – (online): Pamela Reid of the ASPCA will present a free webinar on “Behavioral Assessment and Rehabilitation of Animal Cruelty Victims,” in a webinar series presented by the National District Attorneys Association’s National Center for Prosecution of Animal Abuse, in partnership with the ASPCA and the Animal Legal Defense Fund.


Mar. 22, 2014 – Austin, Texas: Phil Arkow will present on how The Link can be used to “Learn What the Monster Likes and Feed it” at the Texas Unites for Animals conference.

April 22, 2014 – Seattle, Wash.: Allie Phillips will present on The Link and sheltering pets of domestic violence survivors at the International Conference on Sexual Assault, Domestic Violence & Trafficking.

April 25, 2014 – Stratford, Ontario, Canada: Phil Arkow will present on Domestic Violence and The Link for Optimism Place Women’s Shelter.


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ABOUT THE NATIONAL LINK COALITION

The National Link Coalition is an informal, multi-disciplinary collaborative network of individuals and organizations in human services and animal welfare who address the intersections between animal abuse, domestic violence, child maltreatment and elder abuse through research, public policy, programming and community awareness. We believe that human and animal well-being are inextricably intertwined and that the prevention of family and community violence can best be achieved through partnerships representing multi-species perspectives.

Members of the National Link Coalition Steering Committee

**Phil Arkow, Coordinator**  
Consultant, ASPCA and Animals & Society Institute  
Chair, Animal Abuse & Family Violence Prevention Project, The Latham Foundation  
Stratford, N.J.

**Paul Needham**  
Programs Field Rep, Adult Protective Services, Oklahoma DHS  
Chair, Education Committee, National Adult Protective Services Association  
Norman, Okla.

**Lesley Ashworth**  
Founder/President, American Veterinary Charitable Fund  
Consultant, Ohio Domestic Violence Network  
Former Director, Domestic Violence/Stalking Program, Columbus City Attorney’s Office/Prosecution Division  
Worthington, Ohio

**Maria Luisa O’Neill**  
Program Services Coordinator  
National Coalition Against Domestic Violence  
Denver, Colo.

**Diane Balkin, J.D.**  
Contract Attorney, Animal Legal Defense Fund  
President, International Veterinary Forensic Sciences Assn.  
Denver, Colo.

**Emily Patterson-Kane, Ph.D.**  
Animal Welfare Scientist, Animal Welfare Division  
American Veterinary Medical Association  
Schaumburg, Ill.

**Barbara W. Boat, Ph.D.**  
Associate Professor, Univ. of Cincinnati College of Medicine  
Exec. Director, Childhood Trust, Cincinnati Children’s Hospital  
Cincinnati, Ohio

**Allie Phillips, J.D.**  
Director, National Center for Prosecution of Animal Abuse  
Dep. Dir., National Center for Prosecution of Child Abuse  
National District Attorneys Association  
Alexandria, Va.

**Maya Gupta, Ph.D.**  
Executive Director, Ahimsa House, inc.  
Atlanta, Ga.

**Chris Risley-Curtiss, MSSW, Ph.D.**  
Associate Professor/Animal-Human Interactions Coordinator  
Arizona State University School of Social Work  
Phoenix, Ariz.

**Jane A. Hunt**  
SNAP Outreach Consultant, Hunger Free Colorado  
Loveland, Colo.

**Michele Robinson**  
Program Manager, Family Violence & Domestic Relations  
National Council of Juvenile & Family Court Judges  
Reno, Nev.

**Mark Kumpf, CAWA**  
Past President, National Animal Control Association  
Director, Montgomery County Animal Resource Center  
Dayton, Ohio

**Barbara Shaffer, MSW, LCSW**  
Senior Director of Chapter Services  
Prevent Child Abuse America  
Breckenridge, Colo.

**Randall Lockwood, Ph.D.**  
Senior Vice Pres., Forensic Sciences & Anti-Cruelty Projects, ASPCA  
Falls Church, Va.

**Hugh Tebault III**  
President, The Latham Foundation  
Alameda, Calif.

**Anna Melbin, MSW, MPP**  
Dir. of Network Growth & Strategy, The Full Frame Initiative  
Founder, Catalyst Consultant & Training  
Yarmouth, Maine

**Philip Tedeschi, MSSW, LCSW**  
Executive Director, Institute for Human-Animal Connection  
University of Denver Graduate School of Social Work  
Denver, Colo.