BUILDING LINK AWARENESS

Expo Link Webinars Available Online Until January 4

The 22nd annual Animal Protection and Wellness Expo, held each year in Georgia but forced to go virtual due to the COVID-19 pandemic and delayed a week due to Tropical Storm Zeta, presented two days’ worth of extensive training opportunities that included several noted authorities presenting webinars on Link issues. Registration is still available until Jan. 4 to view more than 40 courses online.

Link presentations include:

- **Lila Milot**, Associate Professor, UGA School of Law: “Animal Cruelty Prosecution Team-Building” and “Community Interventions to Reduce Neglect and Abuse.”

Summaries of several of these presentations are described elsewhere in this issue of The LINK-Letter.
Link Message Raising Response to Animal Abuse in Nepal

The Link message is being heard in as remote a location as Nepal, where an animal advocacy group highlighted the Links between animal abuse and human abuse in a meeting with the Mayor of Kathmandu to make the city safer and friendlier for animals and humans.

Writing in the November issue of the KAT Times Newsletter, Samuel Davies of the Kathmandu Animal Treatment Centre described a case of a dog being tortured, witnesses stepping forward, charges being filed, and the suspect signing a written confession and getting jail time and a fine.

News about the case prompted the Mayor of Kathmandu to invite KAT to discuss the organization’s animal welfare agenda. “We were able to use this opportunity to highlight the links between animal abuse and human abuse, the association between hitting dogs and getting bitten by dogs, and the need to work together to make a safer and friendlier community for both humans and animals,” Davies wrote. The mayor was apparently very interested in KAT’s work and requested that KAT expand its services of providing spaying and neutering programs, rabies vaccinations and rescue and treatment services.

The dog, named Godita by the group, was reportedly recovering and will serve as “a good-will ambassador for animal protection across the whole of Nepal as a symbol of success, showing what will happen to people who abuse animals.”

Podcast Spotlights Animal-Assisted Therapy for Domestic Violence Survivors

Bethanie Poe is featured in an Animal Academy podcast on “Animal-Assisted Interventions to Help People Heal.” The episode confirms the value that animals can play in people’s lives and recovery.

CRIMINAL JUSTICE… and THE LINK

Link Training for Police Officers Expanding in Canada

In the November LINK-Letter, we reported on groundbreaking legislation enacted on Oct. 22 in Ontario, Canada that mandates Violence Link training for all law enforcement officers in the province. We’ve recently learned that similar training is already being conducted in the province of Alberta.

Dennis Smithson, with the Calgary Police Service, informs us that Calgary police have been receiving Link training since last year. Smithson is the Subject Matter Officer on Animal Abuse and Patrol Training Officer Coordinator and Community Resource Coordinator in the city of 1.3 million residents.

Smithson also informs us that Edmonton Police Service in the province’s capital city of 980,000 has also been receiving mandated Link training since earlier this year. The two departments have been working collaboratively with the Calgary Humane Society and Edmonton Animal Services to organize the training, working with Calgary forensic veterinarian Dr. Margaret Doyle to assist in the investigations. Both cities also have dedicated Crown Prosecutors to take cases through the courts and are working to make this information available to other agencies in Alberta.
Groundbreaking New Jersey Bills Would Mandate Reporting and Define Animal Abuse as Child, Elder and Domestic Abuse

The waning days of the 2020 election campaign did not stop two omnibus and groundbreaking Link bills from being introduced in the New Jersey State Legislature. The measures, introduced on Oct. 26 and Nov. 9, would mandate veterinarians and technicians, multiple state social services agencies employees and others to report suspected animal cruelty and would add acts of animal cruelty to the state’s definitions of domestic violence, child abuse, elder abuse, and abuse of the developmentally disabled.

A 4880 and S 3168 would require a veterinarian, veterinary technician, or any person who has reasonable cause to believe an animal has been subjected to an act of animal cruelty to report the suspected violation to the appropriate law enforcement officer. The bills would also expand the statutory definitions of child and elder abuse, abuse of persons with a disability, and domestic violence to include acts of animal cruelty against animals owned or possessed by the persons affected by these types of abuse.

The bills require any employee responsible for the investigation of domestic violence and abuse, including certain employees of the Department of Children and Families, caregivers at residential health care facilities, certain employees of the Department of Human Services’ Division of Aging and Division of Developmental Disabilities, and police officers, to report any suspected animal cruelty to an appropriate law enforcement officer.

The measures also provide civil and criminal immunity for persons who, in good faith, report a suspected animal cruelty violation and a suspected violation of the state’s standards or rules and regulations concerning domestic livestock.

A 4880 was sponsored by Assemblymen Daniel R. Benson, Ronald S. Dancer, and Thomas P. Giblin; the three are deputy Republican, conference and majority leaders. It is in the Assembly Agriculture Committee. S 3168 was introduced by Senate Majority Conference Leader Vin Gopal and is in the Senate Environment and Energy Committee.

Coercive animal abuse is currently included in the definition of domestic violence in Alaska, Arizona, Colorado, Indiana, Maine, Nebraska, Nevada, New Hampshire, Tennessee, and Utah, and within the definition of elder abuse in Colorado. No states are believed to have expanded the concept to include animal abuse within the statutory definitions of crimes against children or the developmentally disabled.
One of the most comprehensive and intriguing studies to examine patterns of animal cruelty offenders and their cases’ co-occurrence with other crimes was recently published in the Australian state of Victoria. A 2019 report from the state’s Sentencing Advisory Council found that between 2008-2017, 11% of animal cruelty charges against adults handled in the Magistrates’ Court also involved crimes of acts intended to cause injury. However, in animal cruelty cases involving juvenile offenders in the Children’s Court, 51% of cases also involved theft and related offenses, 35% involved criminal damage, and 33% involved offenses against the public order.

Although only a small number of animal cruelty cases were sentenced in the Children’s Court (58 cases), [the findings] suggest that young animal cruelty offenders were more generalist in their overall offending, while older offenders were more likely to be sentenced exclusively for animal cruelty or other animal-related offending (such as failing to register a cat or dog),” the report noted.

A similar trend was observed when comparing male and female animal cruelty offenders. Men were more generalist in their overall offending behavior than females and were more likely to be co-sentenced for almost every category of offense. Men were twice as likely as women to be co-sentenced for a violent offense, three times for criminal damage, five times for theft, and 11 times more likely for crimes involving weapons or explosives.

Approximately 15% of animal cruelty sentences in the Magistrates’ Court in 2016 and 2017 occurred in the context of family violence (35 of 231 cases); 33 of the offenders were male. The most common offenses were acts intended to cause injury (57 charges), bail-related offenses (44 charges) and breaches of intervention orders (44 charges). In cases flagged as family violence, animal cruelty offenders were much more likely to receive serious sentencing outcomes than all animal cruelty offenders generally.

Earlier research has found that animal cruelty is more likely to follow other crimes, as a pattern of general deviant behavior, than to precede other crimes, as part of a graduation hypothesis. The Victoria study identified offenders sentenced for animal cruelty in 2012 and 2013, and then examined any prior or subsequent sentences in the four years before and the four years afterwards. Of 271 offenders sentenced for animal cruelty in those two years, 57% were not sentenced for any other offending in the four years before or after their index sentence but 43% were sentenced on at least one other occasion. However, there was no conclusive pattern regarding prior-vs.-subsequent convictions. 14% of offenders had been sentenced for other crimes and 30% sentenced for other animal cruelty crimes before the index sentence, compared to 15% and 32%, respectively, afterwards. (Prior Council research shows a recidivism rate among all offenders in which 34% re-offend.)

Each year between 2011 and 2017 in Victoria, an average of over 11,000 animal cruelty complaints were made, nearly 900 charges were filed and nearly 400 individuals were sentenced. As with other studies worldwide, neglect-related offending – offenders omitting to adequately provide and care for animals – was far more prevalent than more deliberate and malicious acts of cruelty.

Approximately three-quarters of offenders were male and approximately one-quarter were female, and ages ranged from 11 years to 83 years.
Two factors that generate significant community interest in sentencing provisions and outcomes for animal cruelty offenses were cited. “The first is that animals are ‘sentient creatures [that] have intrinsic moral significance and are, therefore, deserving of some protection against harm’. The second is the common perception that animal abuse is a warning sign that an offender has a predilection for violence and could turn (or has turned) their violent attentions to another person, particularly in the context of family violence.”

**Police Chiefs Informed on How Leveraging NIBRS Data Can Prevent Link Crimes**

Following up on her articles which were published earlier this year in *Sheriff & Deputy, Animal Care & Control Today*, and *Public Management* magazines, Animal Welfare Institute Consultant Julie Palais has written another article to let municipal police officials know about the availability of national data-collection systems on animal abuse and it’s co-occurrence with other crimes.

Writing in the December issue of *Police Chief*, the monthly magazine of the International Association of Chiefs of Police, Palais describes the FBI’s inclusion of four types of animal abuse within its new National Incident Based Reporting System (NIBRS) which previously went unreported or were lumped into an “all other offenses” category. This “made it difficult for law enforcement agencies to develop an understanding of who was committing the crimes and whether there were any connections between the crimes perpetrated against animals and those involving human victims.”

Palais reviewed the most recent NIBRS data (from 2018), noting that in the majority of reported animal cruelty incidents no other crimes or offenders were associated – a feature that is consistent with other crimes. However, among cases considered intentional cruelty, about 20% had other crimes associated with them – another consistent figure, given that other research has found violent animal cruelty offenders to be more likely to have other offenses in their criminal histories. The other crimes most commonly associated with intentional animal cruelty included simple and aggravated assault, vandalism, weapons offenses, and burglary.

The theme of this issue of the magazine was “leveraging data in policing,” and Palais emphasized that knowing this information about co-occurring crimes “would be helpful for law enforcement to be aware of when deciding whether or not to investigate a domestic incident involving animal cruelty. Also, it might help prevent an incident of family violence.”

Palais also found correlations between the times of day when animal cruelty and juvenile sexual assaults are committed, with both increasing in frequency during the day. She theorized that this may be because few or no adult guardians are at home to interfere or bear witness.

“Animal abuse has been linked to certain types of violence against humans; therefore, it is important for authorities to realize that there is a relationship between offenders who are involved in animal cruelty and other forms of violence,” she concluded.

SOCIAL WORK…and THE LINK
Cross-Training Called Key to Human-Humane Services Interface

Kathleen Wood, Staff Attorney for the Animal Legal Defense Fund, presented a training on “Cross-Reporting: Connecting Stakeholders to Combat Animal Cruelty and Interpersonal Violence.” She cited the National Link Coalition’s report on how few schools of social work train students on human-animal interactions (See the September 2020 LINK-Letter) as a barrier in getting more social services agencies to be aware of animal abuse issues.

This gap in social workers’ training has significant implications, Wood said. Without social workers’ awareness of, and advocating for, clients’ pets, animals are not being included in protection orders, safety plans and child custody dependency proceedings. Only 16 states have cross-reporting between child or elder abuse agencies and animal care and control, and those are invariably only one-way reporting processes. (See the National Link Coalition’s list of cross-reporting procedures at http://nationallinkcoalition.org/wp-content/uploads/2018/12/Cross-Reporting-by-Type-12-19-2018.pdf). Enacting more cross-reporting laws would cause more animal abuse cases to be detected and investigated, human-animal bond awareness would be included in social workers’ training, and interagency communications would be enhanced, she argued.

Cross-reporting of suspected child, animal or elder abuse to the relevant investigating authority is important. “If there’s violence in the home it’s likely the animals will be affected as well,” she said.

She then transitioned into a discussion of veterinarians, whose experience, expertise and responsibility to advocate for animal welfare should cause them to report suspected animal abuse to appropriate authorities. She reviewed the National Link Coalition’s chart describing veterinarians’ concerns about such reporting and the realities of reporting (See the August 2020 LINK-Letter). She recognized that many practitioners are not sure if a case is non-accidental injury, but emphasized that they need not know for sure in order to report their suspicions. Most states that mandate or permit such reporting offer immunity from civil and/or criminal liability for good-faith reports.
ANIMAL SEXUAL ABUSE... and THE LINK
Animal Sex Abuse Linked to Sex Trafficking and the “Dark Web”

While there has been extensive interest in child pornography, sex trafficking and the impact of the “dark web,” little work has been done to date to link those phenomena with animal sexual abuse. Jenny Edwards, a criminologist and independent researcher specializing in animal sexual abuse since 2005, presented a thorough presentation on what the dark web has to do with animals that was disturbing, but she made the difficult topic as palatable as possible.

In presenting “Dark Secrets and Stolen Lives: The Link between Bestiality and Human Sex Trafficking,” Edwards noted that most of the bestiality cases she has investigated started out as child pornography cases. For people pursuing deviant sexual behaviors, “animal pornography” and “animal prostitution” constitute what she called “eye candy for deviants.”

Edwards said there are three primary areas in which bestiality is linked with sex trafficking: pornography, solicitation and coercion, and prostitution. “Trafficking is about movement and money,” she said, noting that while it includes forced labor trafficking, sex trafficking comprises about 85% of it. Pornography – a $120 billion industry whose websites attract 42 billion visitors each year – is integral to sex trafficking in that 49% of victims are forced to make porn films. 45% of pornography sites cater to deviant behaviors including bestiality. Googling for one animal pornography website, which has since been closed down, yielded 769 million results.

She noted that cases of animal prostitution – such as incidents in New Zealand and Norway where kennel owners rented out their dogs for sex – often fall by the wayside with prosecutors more focused on cases of child pornography.

Animal sexual abuse cases are extremely difficult to investigate and prosecute, she said. Multiple co-occurring crimes -- including narcotics, weapons, domestic violence, trespassing, and burglary -- are frequently involved. Child pornography stings invariably involve multiple defendants. Multiple jurisdictions -- both domestic and international -- can be involved. No two cases are alike. And many cases involve people having sex with animals which are videotaped, sold and displayed on the Internet.

The Internet’s significance is enormous, she said, as it can connect people with similar deviant interests looking to obtain animals for sex or find guidebooks on how to have sex with animals. In addition to the dark web – areas of the internet where people need to be sponsored or pay a fee to enter – even social media sites like WhatsApp and GoFundMe have been used by people trying to connect with like-minded people seeking animal pornography. There are also members-only sites and chat rooms catering to zoophiles – people who prefer to have sex with animals and claim it as a legitimate sexual preference.

“Just be aware that when you’re looking at posts that seem out of the norm trust your instincts. More often than not you won’t be wrong,” Edwards said.

While 46 states have made animal sexual abuse illegal (See the April 2019 LINK-Letter), research and the laws haven’t necessarily caught up with technology and current trends. About half of these states still consider bestiality only as a misdemeanor, and there is no effective behavioral intervention. Many
states require the animal to be injured in order for cases to be prosecuted. Prison time, when imposed, is generally minimal.

Edwards encouraged participants to support legislation strengthening bestiality prohibitions, particularly in the jurisdictions where it is still legal (Hawaïi, New Mexico, West Virginia, Wyoming, and D.C.).

“The majority of cases are under-detected, unreported, under-investigated, and under-prosecuted. Lots of people are hesitant to report what they see. These cases often take years to resolve. We still have a long way to go to make life better for the animals,” she said.

**CHILD ABUSE... and THE LINK**

**Animal Hoarding Has Lifelong Adverse Impacts on Children, Too**

Animal hoarding not only harms animals and is unhealthy for adults living in environmentally hazardous homes but also presents immediate and lifelong dangers for children raised in these homes. And because animal hoarding is often a mental health issue, prosecution may not be the best way to resolve a case and prevent what are high rates of recidivism.

Those were some of the take-aways from the third webinar in the National Council of Juvenile & Family Court Judges/Animal Legal Defense Fund series introducing animal cruelty issues to family court judges. Some 35 multi-disciplinary participants heard case studies and learned about the mental health aspects of animal hoarding and its intersections with criminal law.

Catherine Miller, a psychologist and professor at Pacific University, noted the research on animal hoarding is limited and there can be several pathways by which people come to hoard animals. Some have organic changes in their brain, and some absorb learned behaviors from their parents. Some experienced disordered attachments as children and turn to animals that are emotionally safer. Others experienced a traumatic loss or other precipitating tragedy which cause them to seek out the safety of animals.

**Catherine Miller**

Miller described four maintaining factors that keep animal hoarders going:

- The companionship they get from creatures they define as full family members;
- The only area in their lives where they feel like they have control;
- The animals give them a sense of purpose and a mission;
- The emotional comfort of an oxytocin release which triggers bonding and closeness.

She noted that animal hoarding is not altruism because it serves the needs of the person, not the animal.

Although object hoarding is a diagnosed condition, animal hoarding is not, and animal hoarders who continually deny how bad their situation has become may share similarities with impulse-control or delusional disorders and dementia.

Prosecuting an animal hoarder may restrict that person’s access to future animals, but enforcing those provisions is difficult and hasn’t stopped the high rates of recidivism. Miller recommended that only “exploiter” hoarders – those such as puppy mill owners who raise animals for their own financial
purposes—should be prosecuted. The “overwhelmed” hoarders who love and want to help animals but underestimate their resources, and those who are mission-driven rescuers, should receive psychological evaluation and treatment, Miller said.

ALDF attorney Kathleen Wood presented maps showing the 17 states where courts are mandated to impose bans on possessing animals and the 21 states where such prohibitions are at the court’s discretion. She also showed the 18 states where psychological evaluations are mandatory and 19 where they are permitted. Illinois and Rhode Island are the only states in which animal hoarding is mentioned as a specific crime.

ALDF attorney Emily Lewis noted that many communities have ordinances covering animal licensing, limits on the number of animals on a property, and code violations for debris, ammonia, vectors from vermin, garbage abatement, and burial of animals on the property that can be charged in prosecutions.

The panelists noted that animal hoarding has implications for child welfare cases, where laws require children to live in a safe and healthy environment with adequate sanitation and utilities. Animal hoarding could affect decisions about terminating parental rights and placing a child in a foster home. But because animal hoarders are reluctant to allow anyone into their homes, child welfare caseworkers often cannot get access to see the child’s environment. Consequently, children growing up in these homes experience neglect: they don’t get adequate nutrition or regular medical care, do poorly in school because they have no place to study, and appliances don’t work because the parents won’t allow repairmen into the home. They experience severe isolation because they can’t invite friends over, depression because they feel they are helpless in a hopeless situation, and low self-worth because the parents care more about the animals than the children.

The adverse impact on children increases as the clutter and animals increase and can last for decades. Courts need to order psychological treatment not just to the parents, but also the children. “The main thing they feel is loss,” said Miller. “Loss of pets, loss of their home if they’re evicted, they may lose their parents, and above all they’ve lost their childhood.”

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For Additional Information
Just click on the blue underlined hyperlinks in these articles and it will take you to other websites with additional information about that topic.
DOMESTIC ABUSE… and THE LINK

New Jersey Bill Would Protect Pets in Divorce Settlements

Legislation introduced in New Jersey would join four other states in allowing courts to award custody or ownership of pets in contentious divorce settlements to the party deemed to be in the animals’ best interests, similar to long-standing child custody proceedings.

S 930 would allow courts to designate ownership or custody or court-ordered protective custody for a domestic companion animal involved in an animal cruelty violation, domestic violence, matrimonial action, action for dissolution of a civil union, or judgment of divorce or dissolution or maintenance. New Jersey has allowed courts to include pets in protection-from-abuse orders since 2012, but this bill would allow courts to award custody of pets in bitter divorce settlements in the animals’ best interests, as Alaska, California, Illinois, and New Hampshire have already done.

The New Jersey bill would allow courts settling divorces or dissolution of a civil union to order joint or sole ownership for pet animals giving primary consideration to the well-being of the animal. The court could also enter an animal protection order against either or both parties to ensure the health, safety and welfare of the animal when there is a threat of potential animal abuse. Such order could include placing the animal in protective custody.

The bill, introduced by Senate Republican Leader Thomas H. Kean, Jr., is in the Senate Judiciary Committee.

Bench Card for Judges Includes Pet Abuse Questions in Motions to Dissolve Protection Orders

A court in Pulaski County, Va., has included questions about threats to household pets among an extensive list of questions to ask family members who have filed motions to dissolve protection orders. The Hon. Lee Chitwood, Presiding Judge of the 27th Judicial District’s Juvenile & Domestic Relations District Court, created a bench card with 46 questions that judges should ask to help them determine whether protective orders should be lifted.

Question #34, in the section which asks 12 questions to help determine a risk of lethality, reads:

Did he ever harm family pets? Did he ever threaten to do so? Were children present? Did you know that a child exposed to DV is approximately three times more likely to commit animal cruelty? Did you know that abuse of a companion animal is one of the four most significant risk factors for someone becoming a domestic abuser?

Other questions in the Lethality section include asking about the abuser’s violence during pregnancy, threats of homicide or suicide, employment and child support status, and substance abuse.

Other sections in the bench card include histories of criminal cases; impact on children and whether they support the motion; history of strangulation; presence and use of weapons and firearms; stalking and coercive control behaviors; and whether the petitioner now feels safe and has any questions for the judge.
An article in a British animal law journal is encouraging more veterinarians in the U.K. to be take training in “animal forensics” to improve investigations of crimes against both animals and people.

Samantha Pickles, a Senior Lecturer in Forensic Science at the University of Bedfordshire and an Animal Forensics Consultant, argues that human-animal interactions may be a potential source of information and evidence affecting many investigations in both “human” and “animal” cases. Animals can be witnesses, aggressors or victims. By evaluating their presence or absence in investigations, significant information may be obtained that could be applicable.

Veterinary assessments can produce essential documentary and physical evidence relating to the condition of the animal, both before and after death or injury. However, the majority of veterinarians in the U.K. “are not aware of forensic methods or their responsibilities in legal matters, as somewhat surprisingly these topics are not key parts of their curriculum or professional development.

“All of these factors are troubling, not least because veterinary opinions are crucial in animal law, but because any form of animal cruelty must have occurred at the hands of a human perpetrator, and the fact that there is a growing global acknowledgement of the ‘link’ between animal and human crimes,” she continues. “Clearly these acts are perpetrated by humans and this level of cruelty rarely occurs in isolation, and a proclivity towards reoffending and an escalation in severity is often observed.”

She cites a Ministry of Justice study of 14,000 people in England and Wales who had been cautioned or convicted of human offenses and previously cautioned or convicted of animal abuse. Offenders’ crimes included violence against other persons, child abuse and neglect, pedophilia, theft, sexual offenses, robbery, arson, narcotics crimes, illegal weapons, fraud, and crimes against society and the public order.

“The suggestion here is not that every person who harms an animal will progress to commit violent crimes against humans, but that the behavior of certain individuals clearly requires a deeper examination by various members of society and representatives of the judicial system. By considering persons of interest and their relationships with animals, insight may be provided into other areas of their life and this is particularly true in the contexts of domestic violence, child abuse and elder maltreatment,” she writes.

She observes that a person’s harming an animal and then seeking veterinary care may seem like an oxymoron, but such behavior continues the abuser’s cycle of power and control in creating long-term emotional distress among other members of the household.

“As the sentinels of animal welfare, it is essential that veterinary staff are trained to have confidence in recognizing non-accidental injuries, reporting their suspicions of animal cruelty to the appropriate authorities, and encouraging victims of domestic violence to seek help in a safe and timely fashion.”

Veterinarians often express understandable reluctance to report suspected animal abuse for fear of being dragged into court to testify. Jill Hollander, Chief Senior Assistant District Attorney for Fulton County, Ga., dispelled many of those fears with an entertaining explanation of “What to Expect When You’re Expecting... a Subpoena: How Vets Can Help Achieve Justice in Animal Cruelty Prosecutions Without Fear.”

Citing Georgia statutes, a case where a K-9 dog was called into court to testify, and a film clip from My Cousin Vinny, Hollander emphasized that once you understand the process of being called as an expert witness the experience becomes less scary. Expert testimony not only is required under law, it helps prosecutors to achieve justice for those who cannot speak for themselves.

Communication with the prosecutor is essential, she emphasized. “We all know that nobody’s got time to close up their practice and sit in a hallway waiting to be called into court. We all know that you’re busy and have patients, staff and obligations. Prosecutors know this is an issue for any professional.” But working with the prosecutors to find out what they want and explaining what your situation is can make the experience “as painless as possible.”

Cases often move in unpredictable directions, and prosecutors may not know until the last-minute what testimony will be required. Under Georgia law, witnesses must be given at least 24-hour notice before they are called to testify. Meanwhile, veterinarians and their staffs can ask to be placed “on call” and can tell the prosecutors how much lead time they will need to leave their office and get to the court.

Veterinarians, as “expert” witnesses, do not need to know with scientific certainty what happened. An expert witness is someone who possesses knowledge beyond the ken of the average layman. Unlike non-expert witnesses, they are allowed to express an informed opinion based on their specialized knowledge, skills, expertise, experience, trade, or education. “You can rely on your notes at any time, and there is no wrong answer,” Hollander said. “We understand that you don’t have the entire picture – you only saw what you saw.”

Hollander made an analogy between the legal and medical processes: both prosecutors and veterinarians have to “check boxes” in working through the “order of proof” or differential diagnosis to prove a case or establish a diagnosis beyond a reasonable doubt.

She emphasized the “long, circuitous process” between the commission of a crime, its investigation, the arrest, and multiple court appearances before the veterinarian may be called to testify in court. The court can quash or modify the subpoena if it is found to be oppressive or unreasonable. Subpoenas must be honored and individuals can be fined and imprisoned for defying them. Georgia, as in at least 30 other states, offers veterinarians immunity from liability for providing good-faith testimony.

Veterinarians can become more comfortable with the process if they speak with the prosecutors first to learn what the case involves, what the charges are, who else has been subpoenaed, what facts and evidence are being sought, what the prosecutor’s prior experience is with cruelty cases, and when the case is likely to go to trial.
In addition to the more typical cases of malicious harm, neglect and animal hoarding that veterinarians and their staffs encounter, Hollander noted that veterinarians may also be primed to see an animal cruelty case that occurs within the context of domestic violence. “One of easiest way to control a victim in domestic violence is to harm or threaten their animal. If that happens you may be the one most likely to see it. You may see a woman come in with bruises. You can be an outlet for her to talk to and offer resources to make sure animal cruelty and domestic violence offenses are appropriately addressed.”

Prosecutors have difficulty explaining an animal’s physical injury or pain and have to rely on experts. The prosecutor has to prove that an animal that was subjected to cruelty experienced pain, she said. “The best person for me to ask about that is you. You can explain what an act committed by a human would feel like to an animal. There are multiple boxes that I need to check and where you can help me.”

**NEWS FROM LOCAL LINK COALITIONS**

**Two Judges Join National Link Coalition Steering Committee**

The National Link Coalition is honored to announce the appointment of two prominent family court judges to serve on our steering committee, where their expertise and interest in resolving cases of child and elder abuse will advance our efforts to protect all vulnerable members of American families.

The Hon. John J. Romero, Jr. will be retiring at the end of December as a Children’s Court Judge in New Mexico’s Second Judicial District in Albuquerque. His cases include delinquency matters, child welfare and adoptions. He presides over the Program for the Empowerment of Girls, an intensive multi-agency juvenile probation program for girls who have some type of violence in their history.

Judge Romero is Co-Chair of the Children’s Court Improvement Commission. He was the first judge in the country to be recognized as a Certified Child Welfare Law Specialist by the ABA-accredited National Association of Counsel for Children. In 2014, Judge Romero received the New Mexico Voices for Children Alice King Public Service Award. He has served on the Board of Directors of the National Council of Juvenile and Family Court Judges. A native of Embudo, N. Mex., Judge Romero completed undergraduate, graduate and law school at the University of New Mexico.

The Hon. Rosa C. Figarola is a Circuit Probate Judge in Florida’s 11th Judicial Circuit in Miami. Although she initially wanted to be a veterinarian, she chose the field of law instead. After earning B.A. and J.D. degrees from the University of Miami, she spent 18 years as a trial lawyer and appellate lawyer in the Miami-Dade Public Defender’s Office before being named a County Court Judge in 2000 and a Circuit Court Judge in 2011. She has a particular interest in animal welfare as it affects eldercare and elder abuse issues.

Both judges led Link webinars recently for the National Council of Juvenile and Family Court Judges and the Animal Legal Defense Fund on The Link between animal abuse, domestic violence and elder abuse (See the November 2020 LINK-Letter). The National Link Coalition is proud to include them among our growing ranks of jurists who understand and advance the cause of The Link.
Tips Offered for Starting an Anti-Cruelty Task Force

One variation on the concept of a community Link coalition is to create an animal cruelty task force that brings multi-disciplinary support into the investigation and prosecution of animal abuse cases. The task force in Athens and Clarke County, Ga., which uses The Link to gain additional community support, was featured in a presentation at the 22nd Annual Animal Protection & Wellness Expo in November.

Why do you need a task force?

Because you need rescue partners, foster parents, and volunteers who can help abused and neglected animals recover and (hopefully) have good outcomes.

Sherrie Hines, Interim Chief Assistant Athens/Clarke County Attorney, emphasized why task forces are needed: without one, abused animals won’t get justice. In complex cases, prosecution isn’t always the best answer and having people with social work skills and veterinarians with forensic expertise can be invaluable.

Meanwhile, foster families who can care for “living evidence” and corporate and individual donors who can support the costs of veterinary examinations and animals’ care, housing and rehab can be critical.

Task forces can include a wide range of participants: animal control officers, veterinarians who are able and willing to perform medical examinations, and prosecutors who take cruelty cases seriously. Auxiliary members can include veterinary colleges’ diagnostic labs, the state agriculture department, probation services, and code enforcement, utilities and solid waste department employees who regularly visit homes in the community where they can observe the results of family violence.

Emphasizing how animal abuse impacts public safety and health and how addressing The Link can prevent waste of taxpayer funds is a key to getting local government support, said Lisa Milot, Associate Professor at the University of Georgia School of Law. Animal control is often a “third rail” of government that nobody wants to touch, she said. But The Link can overcome that lack of priority. “You want to tie animal cruelty to issues that all people care about, even if they don’t care about animals,” she said. These include The Link between animal abuse and domestic violence, drugs, gangs, and violent crimes.

Milot offered tips to guide communities seeking to build and sustain an anti-cruelty task force. You can start with a small core group of people, find local funders and politicians who recognize the need, and understand the scope and contours of animal abuse and The Link in your community. Do a self-assessment of your local ordinances and state laws and your team members’ strengths and weaknesses and identify others who can expand your skill set to fill in the gaps.

Getting veterinarians involved is challenging, as many of them fear losing time from their practice by being dragged into court to testify. But by compensating them for their time and services and having them merely on standby when a case comes to court can ease these concerns, she said.

Milot encouraged people to “work within the system” by getting to know the decision makers and what they care about. Rather than being emotional, present objective, factual information and bring problem-solving resources to the table. Above all, she said, “Make things easy” and present information to them in formats they’re already comfortable with.
Our British counterpart, The Links Group UK, which began offering a free online course last Spring to encourage human services professionals to be on the alert for animal abuse which could impact their clients (See the March 2020 LINK-Letter), has posted an excellent 3-minute introductory video online that builds even greater awareness of The Link.

The tasteful, animated video, “Understanding Animal Welfare in Violent Homes,” begins by noting that Great Britain, with 52% of households owning pets that include 9 million dogs and 11 million cats, is known as a nation of pet lovers because of how these animals offer love, companionship and contribute to our well-being. It then transitions into the sad statistics that an average of 150,000 people call the RSPCA hotline each year to report suspected animal abuse – an average of one call every 30 seconds.

The statistics are sad enough, the video notes, but the stories behind each case make for horrifying reading. In addition, “There is growing evidence that a Link exists between abuse of animals and abuse of humans. Where animal physical abuse or neglect has occurred, other forms of violence are often present, putting other family members at risk.”

The video is part of a module designed to inform caseworkers and other professionals who visit the homes of people under their supervision that animal abuse or neglect should be a prompt to investigate other potential issues affecting the individual or family. “By understanding the welfare needs of animals, and recognizing signs of abuse and neglect in family pets, professionals could be better placed to formulate a fuller picture of domestic settings.” By protecting animals, professionals can help children and adults in their care. “You may not be an animal person, but with over half of households having pets you will meet them in the curse of your work.”

The video concludes by noting that these professionals are, by the nature of their work, already known to be caring individuals and are already trained to be observant of conditions in a home. The full module offers simple signs of animal abuse to look for but also encourages them to use their intuition and raise concerns if something just doesn’t seem right.
THE LINK... in the LITERATURE

Two Papers Address Veterinary Forensics and The Link

Noting, “Given the intimate relationship between animal cruelty and interpersonal violence, the ability to recognize animal abuse is of the utmost importance,” researchers in Spain argue that animals that die under suspicious or violent circumstances should be submitted to reference laboratories for a postmortem examination by veterinary forensic pathologists trained to recognize animal abuse. Companion animal abuse is an issue that concerns not only veterinarians and law enforcement agencies but also society in general, but Spain has lagged behind other countries in the development of veterinary forensics and the limited information available on animal abuse epidemiology. The researchers analyzed the cause and manner of death of 96 dogs and cats suspected of animal abuse, believed to be the first such analysis in Spain. They confirmed that most dog deaths were related with abuse, though the suspected abuse and the cause of death did not always coincide. In contrast, cause of death was determined to be natural in many of the cat suspected abuse cases. The researchers hope to advance the field of veterinary forensics in Spain, which will lead to more successful prosecutions by law enforcement agencies. They highlight that veterinarians who can accurately recognize signs of animal abuse may be able to better respond to cases of companion animal cruelty, which in turn, may prevent possible escalation to interpersonal violence.


The examination of an animal (live or deceased) for the purposes of determining whether it is a subject of abuse requires analysis by a veterinarian. A team of veterinary forensic experts have created a new document to provide minimum standards and best practices for veterinarians when performing clinical veterinary forensic examinations on live animals. The objective of this document is to ensure appropriate steps are taken to identify, document and preserve evidence in animal-involved crimes. These include recommendations and minimum standards in the context of legal considerations for personnel, physical examination, ancillary testing and diagnostics, written and photographic documentation, euthanasia and necropsy considerations, evidence packaging and handling, reports, opinion formation, and testimony specific to the examination of live animals encountered in medicolegal cases.


Detroit Study Links Animal Cruelty with Neighborhood Crime, Blight

Following an earlier study (See the June 2020 LINK-Letter) showing how cruelty against an owner’s or neighbor’s pet differs from abuse of an animal in a home where intimate partner violence is prevalent, a new report examines the importance of domestic violence, deviance, perpetrator traits, and social disorganization as causes for animal cruelty. Using police department reports of 302 incidents of animal cruelty in the City of Detroit from 2007 to 2015, researchers reported that neighborhood conditions in terms of economic stress, vacancy and blight and crime appear to have the greatest impact on animal cruelty. The findings from Detroit support the deviance and social disorganization theories of animal cruelty.

Study Finds No Graduation Hypothesis in Animal Abuse/Domestic Violence Link

A new doctoral thesis is reporting that an analysis of Texas court records found that men arrested for animal cruelty did not have a higher likelihood of committing subsequent domestic violence as compared with a control group of offenders charged with crimes against property. Stacey Hansen, a student in the Doctor of Law and Public Policy program at Northeastern University, cited examples of well-documented instances of co-occurrence of animal cruelty and violent crimes and called animal cruelty “a national issue that impacts every state” but noted that “the various animal cruelty policies and procedures protecting animals in the United States are fragmented and put animals and society at jeopardy by failing to respond with consistent seriousness to incidents of animal abuse.”

Hansen reviewed cases of 414 randomly selected animal cruelty offenders in Texas in 2014-2015 to test the graduation hypothesis that animal cruelty is a steppingstone to crimes against humans. (A more prevalent theory is that it is part of a pattern of general deviance and that animal cruelty can follow as well as precede other crimes.) Hansen wrote that the findings did not support the violence graduation hypothesis and said, “The results of this study were surprising and created more questions than answers.” She recommended implementing policies that further cross-reporting among government agencies, domestic violence service providers and animal welfare organizations and the development of safety plans for animals in households marked by domestic violence.


Harvard Animal Law & Policy Program Accepting Applications for Visiting Fellows

Harvard Law School's Animal Law & Policy Program is accepting Visiting Fellow applications for the 2021-22 Academic Year. The Animal Law & Policy Visiting Fellowships provide opportunities for outstanding scholars from a range of disciplines and legal practitioners to spend from three months to one academic year undertaking research, writing, and scholarly engagement on academic projects in the field of animal law and policy.

Fellows devote their time to scholarly activities in furtherance of their research agendas and to contributing to the community of the Animal Law & Policy Program. Applicants with a J.D., LL.M., S.J.D., Ph.D. or another comparable degree are welcomed from all disciplinary backgrounds, including the sciences, social sciences and humanities, provided that the applicant’s research agenda relates to animal law and policy. Applicants will be evaluated by the quality and significance of their research proposals, and by their record of academic and professional achievement. The deadline for applications is Jan. 15, 2021.
THE LINK… IN THE LEGISLATURES

Link Bills We’re Watching

The COVID-19 pandemic has caused many state legislatures to abruptly cancel or temporarily suspend their legislative sessions, while others have concluded their business for the year. Nevertheless, we’re keeping an eye on an amazing 123 bills that have been introduced into the 2020 legislative sessions. Please let us know if you hear of other measures not included here:

Domestic Violence/Pet Protection Orders

Arizona HB 2321 would have allowed courts to issue “severe threat orders of protection”, which would prohibit respondents from possessing firearms based upon a credible threat of death or serious injury, against individuals who committed or attempted to commit acts of violence including cruelty to animals involving torture, serious injury or protracted suffering within the previous six months. The bill was in the Rules Committee when the legislature adjourned.

Connecticut Raised Bill 107 would have established a task force to address various issues at shelters for the homeless, many of whom are survivors of domestic violence, including accommodating homeless persons who have pets and service animals. The bill was in the Joint Committee on Housing when the General Assembly adjourned.

Florida HB 705 requires every county in the state that maintains shelters for evacuation during an emergency to designate at least one emergency shelter that can accommodate persons with pets. Such shelters will have to comply with FEMA Disaster Assistance Policies and Procedures and with local and state emergency management plans’ safety procedures regarding the sheltering of pets. HB 705 was approved by the House and Senate 39-0 and was signed by the Governor on June 29. It took effect July 1.

Florida SB 1082 allows courts to award temporary exclusive custody and care of non-agricultural animals to petitioners and to order defendants to temporarily have no contact with the animal and to not harm or take the animal away. SB 1082 was signed into law on June 18 by Gov. Ron DeSantis.

Georgia HB 582 would have allowed courts to create a pet animal care plan in marriage dissolution proceedings that would include the prevention of cruelty to animals and the provision of food, water, shelter, and veterinary care. Courts would have had to determine whether the parties have joint ownership of the animals and recognize that a close and continuing owner-pet relationship and continuity in the pet’s life will be in the pet’s best interest. The bill was in the House of Representatives when the Legislature adjourned.

Illinois HB 4768 would establish a grant program from the Department of Human Services to provide capital funds, and to search for third-party funding and services, to support domestic violence shelters in counties with a population of 200,000 or more to become pet-friendly. The bill is in the Rules Committee.

Indiana HB 1423 would have excluded a party’s service animals from a court’s division of property in any actions for a dissolution of marriage. The bill died in the Judiciary Committee.
Kentucky HB 216 would have included violence against a domestic animal used as coercive conduct within the definitions of “domestic violence and abuse” and “dating violence and abuse” and would have allowed judges to award possession of a domestic animal to the petitioner in a protection-from-abuse procedure. The bill passed the House 81-3 and was in the Senate Judiciary Committee when the General Assembly adjourned. The measure has been pre-filed for the 2021 legislative session as Bill Request BR 243.

Massachusetts H.3833 would cause individuals convicted of animal cruelty to be civilly liable to another individual for the infliction of emotional distress if the person knew, or should have known, that the conduct was extreme and outrageous and would cause severe emotional distress. The bill was added to a lengthy list of bills affecting civil liability, child welfare, the justice system, public safety, drugs offenses, assault, and other judiciary issues being held for a Study Order.

Michigan HB 4498 would enjoin respondents served with protection orders, which include protection of pets, from possessing, using, transporting, selling, purchasing, carrying, shipping, receiving, or distributing a firearm or ammunition. The bill is in the Judiciary Committee.

Minnesota HF 9 would have allowed courts to include a conviction for animal cruelty in determining whether an individual should be prohibited from possessing firearms in the issuance of an Extreme Risk Protection Order. The bill passed the House but died in the Senate Judiciary & Public Safety Finance & Policy Committee when the legislature adjourned.

Mississippi SB 2299, which would have authorized courts to include pets in orders of protection from domestic abuse, died in the Judiciary Committee.

Missouri HB 2626 and SB 959 would have allowed courts, in issuing adult protection and child protection orders, to restrain or enjoin an individual from committing or threatening to commit abuse against a pet, to include an order of custody of the pet, and to pay for the medical costs of treating the pet abuse. The bills were in the House and Senate Judiciary Committees when the legislature adjourned.

New Jersey A 4880 and S 3168 would expand the statutory definition of domestic violence to include acts of animal cruelty against animals owned or possessed by the persons affected by these types of abuse. The bills are in the Assembly Agriculture and Senate Environment and Energy Committees. The bills also address child abuse and elder abuse and cross-reporting.

New Jersey S 930 would allow courts to designate ownership or custody or court-ordered protective custody for a pet involved in an animal cruelty violation, domestic violence, matrimonial action, action for dissolution of a civil union, or judgment of divorce or dissolution or maintenance giving primary consideration to the well-being of the animal. The bill is in the Senate Judiciary Committee.

New York A 588 would create a felony crime of animal cruelty to companion animals that is intended to threaten, intimidate or harass a family or household member, with additional penalties if committed in the presence of a minor child. The bill is in the Assembly Codes Committee.
New York A 767 / S 1251 would amend pet protection orders to allow the court to grant petitioners exclusive care, custody and control of animals kept by the petitioner, respondent or child, and to order the respondent to stay away from, take, transfer, conceal, harm, or dispose of the animal. The bills are in the Assembly Judiciary and Senate Children & Families Committees.

New York A 1097, A10333 and S 6222 would require courts to consider the best interest of companion animals in awarding their possession in a divorce or separation proceeding. S 6222 passed the Senate. All three bills are all in the Assembly Judiciary Committee.

Pennsylvania SB 90 and HB 1075 would create “Extreme Risk Protection Orders” that would allow courts to prohibit persons from having or obtaining a firearm upon a finding that the person presents a risk of suicide or of causing death or serious bodily injury to another person. Factors that could help make such a determination include a history of domestic abuse and/or animal cruelty. HB 1028 would allow household members to file a petition for a “Firearm Restraining Order” prohibiting a respondent from having firearms, weapons or ammunition if the respondent presents an immediate and present danger to physical safety, as represented by acts of domestic violence or killing or threatening to kill pets or other animals. The bills are in their respective Judiciary Committees.

Pennsylvania HB 1432 would recognize that “companion animals are living beings that are generally regarded as cherished family members that offer their owners companionship, security and assistance,” and as a “special category of personal property” need to be granted special consideration in the division of property during marriage dissolution. Parties could enter into an enforceable agreement regarding the care and possession of companion animals, and the court shall consider all relevant factors. The bill is in the Judiciary Committee.

Rhode Island H 7130 would have authorized courts to award sole possession of a domestic companion animal in a divorce or separation proceeding by considering the best interests of the animal, including: how, when and by whom the animal was acquired; who has assumed most of the animal’s care; who spends the most time with the animal; which living arrangement would be best; and whether it would be in the best interests of the children to keep the animal in their domicile for care and affection. Joint custody decisions would include: length of the animal’s stay with each party; costs of veterinary visits, daycare and the pet’s other needs; and additional criteria the court deems important. The bill was being held for further study by the House Judiciary Committee when the General Assembly adjourned.

Texas HB 674, prefiled for the 2021 legislative session, would require the public to be informed about the availability of provisions to include pets and other companion animals in protective orders.

**Animal Abuse and Elder Abuse**

Maryland HB 33, which would have added “the destruction of or harm to an animal” belonging to a vulnerable adult to the definition of severe emotional distress prohibited against a vulnerable adult, became law on May 8 but the key provision about animal abuse was deleted. The new law merely makes it illegal to intentionally and maliciously inflict severe emotional distress on a vulnerable adult without defining the term.
New Jersey A 4880 and S 3168 would expand the statutory definition of elder abuse and abuse of the developmentally disabled to include acts of animal cruelty against animals owned or possessed by the persons affected by these types of abuse. The bills are in the Assembly Agriculture and Senate Environment and Energy Committees. The bills also address child abuse and cross-reporting.

New York A 1153 would bar landlords from denying residential occupancy or evicting persons over age 62 solely for keeping a common household pet. Property owners could establish reasonable rules for the care and handling of pets. The bill is in the Assembly Housing Committee.

Pennsylvania SB 819 would extensively revise the Older Adults Protective Services Act and would impose a 25-year ban on individuals convicted of having sexual intercourse with animals from working in long-term care nursing facilities, personal care homes, home health care agencies, and adult daily living centers. The bill passed the Senate and is in the House Aging & Older Adult Services Committee.

Animal Abuse and Child Maltreatment
H.R. 2808, the Child & Animal Abuse Detection and Reporting Act, would amend the Child Abuse Prevention & Treatment Act (CAPTA) to include data on animal abuse in the National Child Abuse & Neglect Data System (NCANDS). The bill was introduced by Rep. Ann McLane Kuster (D – N.H.) and John Katko (R – N.Y.), has 33 co-sponsors and is in the House Education and Labor Committee.

Maryland SB 101/ HB 311 establish the Court Dog and Child Witness Program in the state’s circuit courts allowing “facility dogs” and “therapy dogs” to provide emotional support to child witnesses in courtrooms, meetings, interviews, and other court processes. The bills became law and took effect on Oct. 1.

Massachusetts S.1027 would allow juveniles between the ages of 14 and 18 to be prosecuted if the criminal offense involved the infliction or threat of serious bodily harm to a person or an animal. The bill was referred in a Study Order to the Senate Judiciary Committee to review numerous bills relative to judicial issues and was discharged to the Senate Rules Committee.

Missouri HB 2626/ SB 959 would have allowed courts, in issuing adult protection and child protection orders, to restrain or enjoin an individual from committing or threatening to commit abuse against a pet, to include an order of custody of the pet, and to pay for the medical costs of treating the pet abuse. The bills were in the House and Senate Judiciary Committees when the legislature adjourned.

New Jersey A 4880 and S 3168 would expand the statutory definition of child abuse to include acts of animal cruelty against animals owned or possessed by the persons affected by these types of abuse. The bills are in the Assembly Agriculture and Senate Environment and Energy Committees. The bills also address elder abuse and cross-reporting.

New York A 831 would increase the penalty for aggravated animal cruelty from two to four years if committed in the presence of a child. The bill is in the Assembly Agriculture Committee.
New York A 955 would make it a misdemeanor to knowingly cause a minor child under age 16 to attend an animal fight. The bill is in the Assembly Agriculture Committee.

New York A 1211-A and S 3415-A would permit mandated reporters of suspected child abuse to report suspected animal cruelty, notwithstanding confidentiality provisions, if the act were committed by a person also suspected of child abuse or maltreatment. Individuals already permitted to report suspected child abuse (which includes everyone in New York State) could also report suspected animal cruelty. Reports made in good faith would be immune from civil and criminal liability. A 1211-A is in the Children and Families Committee. S 3415-A passed the Senate and was referred to the Assembly Children and Families Committee.

New York A 2664 and S 3327 would amend the definition of child endangerment and other related statutes to include committing acts of animal cruelty in the presence of a child and to strengthen penalties for existing animal cruelty charges when committed in the presence of a child. The bills are in the Assembly Codes and Senate Domestic Animal Welfare Committees.

North Carolina H 507 would have made it a felony to bring a minor to a dog- or cockfight. The bill was in the Senate Rules & Operations Committee when the legislature adjourned.

Rhode Island H 7030 would have allow parents, guardians and DCYF requesting a protective order for a child who is suffering from domestic abuse or sexual exploitation to award the plaintiff custody of the household pets. The bill was held for further study by the Judiciary Committee when the General Assembly adjourned.

Rhode Island H 7740 / S 2828 would have increased penalties for animal cruelty if the act is committed in the presence of a minor child. The bills were in their respective Judiciary Committees when the General Assembly adjourned.

South Carolina S 908 would have allowed individuals to remove a minor or an animal from a motor vehicle if either is experiencing a life- or extreme health-threatening situation and provide that individual with immunity from civil and criminal liability. The bill was in the Senate Judiciary Committee when the Legislature adjourned.

Animal Hoarding

New Hampshire HB1449 defines animal hoarding and sets forth a provision for a person charged with animal hoarding to be given a psychiatric evaluation. The bill passed the House and was laid on the table by the Senate when the Legislature adjourned. The measure has been prefilled for 2021 as Legislative Service Request LSR 298.

New Jersey S 1760 establishes the animal cruelty crime of animal hoarding and requires mental health counseling for all adult and juvenile animal cruelty offenders, including animal hoarders. The bill is in the Senate Energy & Environment Committee.

New York A 261, creating the crime of companion animal hoarding, and A4569, creating a crime of aggravated neglect of a companion animal, were being held for consideration in the Agriculture Committee.
West Virginia H 4880 would have declared animal hoarding to be a misdemeanor and require the animals to be turned over to an animal shelter for proper care and relocation. The provision, part of a much larger increase in protections for the welfare of domestic animals, died in the House Judiciary Committee.

**Animal Sexual Abuse**

Hawai‘i HB 1618/SB 2718 would have prohibited subjecting an animal to sexual contact, permitting such activity to occur, or obtaining or organizing an event with the intent of subjecting an animal to sexual contact. Offenses would have been a Class C felony or a Class B felony if a minor were exposed to the crime. Convicted offenders would have been required to: surrender all animals in their custody; reimburse animal services agencies for the costs of the animals’ care; undergo psychological or psychiatric treatment; make restitution to the animals’ owners; and be barred from being around animals for at least five years. SB 2718 had passed the Senate unanimously and both bills were in the House Judiciary and Agriculture Committees when the Legislature adjourned.

Massachusetts S.891 would replace the archaic “Crime against nature” – the “abominable and detestable crime against nature, either with mankind or with a beast” – with a new crime of a “sexual act on an animal.” The bill was referred in a Study Order to the Senate Judiciary Committee to review numerous bills relative to judicial issues and was discharged to the Senate Rules Committee.

New York A 8744 would establish the crimes of sexual conduct with an animal, a Class A misdemeanor, and sexual conduct with an animal resulting in injury or death, a Class E felony. The bill is in the Agriculture Committee.

Ohio HB 350 would re-enact the state’s law outlawing bestiality and animal fighting, modify its language to conform to newer statutes, and make these prohibitions uniform statewide. The bill is in the Criminal Justice Committee.

Pennsylvania HB 1312 would deny offenders convicted of sexual intercourse with animals the right of having their criminal records expunged. The bill is in the House Judiciary Committee.

Virginia HB 1065 would have made it a felony to create, record, distribute, sell, advertise, or appear in non-evidentiary video or still image of animal cruelty was stricken from the docket of the Committee on Agriculture, Chesapeake and Natural Resources.

Wisconsin SB 139 became law on March 4. It increases penalties for bestiality from current misdemeanor levels to a variety of felony charges for sexual contact with an animal; advertising, harboring, transporting, providing or transporting animals for sexual contact; and creating, distributing or possessing animal pornography. Penalties are further enhanced if a child is involved. Offenders must register as a sex offender; current law only permits courts to order such registration.
“CASA for Animals”

California AB 2645 would have allowed courts to appoint an attorney or law student advocate to represent the interests of an animal that is the subject of criminal abuse or neglect proceedings. It had not been referred to a committee when the Assembly adjourned.

Florida SB 1048 would have provided for the appointing of an advocate for the interests of an animal in certain court proceedings, at the court’s discretion, and require the Florida Bar Association’s Animal Law section to maintain a list of attorneys and certified legal interns who meet specified requirements to be appointed as advocates. The bill died in the Judiciary Committee.

Illinois HB 3995 and HB 5530 would permit courts to appoint a pro bono attorney or law student as a special advocate to represent the interests of a cat or dog in cases involving the injury, health or safety of the animal. The bills are in the House Rules Committee.

Maine LD 1442 allows a court to appoint volunteer advocates for justice in animal cruelty cases, either under its own initiative or upon the request of a party or counsel. Advocates can monitor the proceedings, consult with individuals and records relevant to the case, and present appropriate information and recommendations. The bill became law on Jan. 12 without the signature of the Governor.

Michigan HB 4592 would allow courts to appoint pro bono lawyers or law students as advocates to represent the interests of animals in criminal prosecutions. The bill is in the House Judiciary Committee.

New Hampshire HB 1164 would have created a special advocate for cats and dogs that are neglected or otherwise treated cruelly. The bill was considered “inexpedient to legislate.”

New Jersey A 4533/S 2868 would allow courts to appoint a pro bono attorney or law student special advocate to represent the interests of animals in cruelty or dogfighting criminal cases. The bills are in the Assembly and Senate Judiciary Committees.

New York A 25, S 3027 and A 702 would create court-appointed advocates for animals. A 25 and S 3027 are in the Judiciary Committees; A 702 is in the Assembly Agriculture Committee.

Rhode Island S 2698 / H 7912 would have authorized courts to appoint pro bono attorneys and supervised law students to serve as animal advocates in animal cruelty and abuse cases, to serve the interests of justice. The bills were in their respective Judiciary Committees when the General Assembly adjourned.
**Cross-Reporting**

**Alabama SB 196** would have made it a Class C misdemeanor to submit a “frivolous” complaint alleging that an “animal enterprise” has engaged in animal cruelty. The bill died in the Senate Agriculture, Conservation & Forestry Committee *when the Legislature adjourned.*

**Connecticut RB 415** would have required veterinarians who treat a dog that they believe was injured or killed as a result of animal fighting to report the incident, with immunity from civil liability, to local law enforcement. *The bill died in the Joint Committee on the Environment.*

**Florida S 7000** would have declared that “early identification of animal abuse is another important tool in safeguarding children from abuse and neglect, providing needed support to families, and protecting animals.” It would have required child protective investigators to report suspected animal abuse to a local animal control agency. Reporters would have been presumed to have acted in good faith and be immune from civil and criminal liability and administrative penalties. Animal control officers would have had to report suspect child abuse to the central hotline. Failure to cross-report would have been a second-degree misdemeanor for child protective workers and a third-degree felony for animal control officers. The Department of Children and Families, in conjunction with the Florida Animal Control Association, would have had to develop a one-hour training curriculum for both fields. *The bill was approved by the Senate 38-0 but died in the House.*

**Florida HB 621/SB 1044** ("Allie’s Law") would have required veterinarians to report suspected animal cruelty to a dog or cat with immunity from civil and criminal liability and specify that failure to report is grounds for disciplinary action. *The bills died in the House Business & Professions Subcommittee and the Senate Rules Committee.*

**Hawai’i SB 2985/HB 2528, HB 2130** and **HB 2453** would have required veterinarians who suspect that an animal has been killed or injured in a staged animal fight or has been a victim of animal abuse or cruelty to promptly report the case to an appropriate law enforcement authority, with immunity from civil liability. *All the bills died when the Legislature adjourned.*

**Iowa SF 2029/ HF 2374** would have granted veterinarians immunity from administrative, civil and criminal liability for assisting in the investigation or prosecution of animal abuse, neglect, torture, fighting, or bestiality. **HF 2374** passed the House 97-0. **SF 3** would have required veterinarians who conclude that an animal is being subjected to cruelty to report the incident to the local law enforcement agency, with immunity from civil and criminal liability and administrative disciplinary action for reporting in good faith; the law enforcement agency would have had to report to the Department of Human Services if the investigation of suspected animal abuse indicated a minor child witnessed the incident. *All of the bills died when the Legislature adjourned on June 14.*

**Kentucky SB 21**, which would have required veterinarians to report suspected abuse and provide immunity for a good-faith report, was amended to merely permit veterinarians to report and to delete the provision granting immunity from liability. The amended bill passed the Senate 35-0 and was sent to the House, where it was approved 78-7, and *was signed into law on April 24.*

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**25**
Kentucky HB 60 would have required veterinarians to report suspected animal abuse to an animal control officer. HB 108 would have provided civil and criminal immunity to veterinarians who, in good faith, report suspected animal abuse to animal control or peace officers, provide records relating to such reports, and testify in any judicial proceedings relating from such reports. The bills were in committees when the General Assembly adjourned.

Michigan SB 352 would require Child Protective Services and Adult Protective Services workers to report suspected animal abuse or neglect to an animal control or law enforcement officer, with confidentiality and immunity from civil and criminal liability. Failure to report would be a crime, with escalating penalties based on whether the animal abuse is a misdemeanor or a felony. The bill passed the Judiciary & Public Safety Committee and is in the full Senate.

Michigan SB 429 would permit veterinarians to report suspected abuse or neglect of a companion animal to an animal control shelter or law enforcement agency. The bill was approved by the Committee on Judiciary and Public Safety and is in the full Senate.

Michigan SB 780 would require animal control officers to report suspected child abuse or neglect. The bill is in the Committee on Families, Seniors & Veterans.

Minnesota HF 1530 / SF 1517, which grant veterinarians immunity from civil and criminal liability for reporting suspected animal cruelty in good faith and in the normal course of business, were subsumed into the Joint House and Senate Agriculture Omnibus Policy bill and was signed into law on May 17.

Missouri HB 1320 would have granted immunity from civil liability to veterinarians, teachers, school personnel, and others who report suspected animal cruelty to law enforcement agencies. The bill also addressed psychological evaluation and treatment. It died in the Judiciary Committee.

New Jersey A 2734 would require employees of the Department of Children & Families to report suspected abuse of a companion animal to the Chief County Humane Law Enforcement Officer or State Police, and of a livestock animal to the Chief County Humane Law Enforcement Officer and the Department of Agriculture. The bill is in the Assembly Women and Children Committee.

New Jersey A 2426/S 1980 would allow certified animal control officers to enforce municipal animal control ordinances and require them to report suspected animal cruelty to notify the municipal humane law enforcement officer. The bills are in the Assembly Agriculture and Senate Environment & Energy Committees.

New Jersey A 4880 and S 3168 would require veterinarians, veterinary technicians, investigators of domestic violence and abuse, employees of the Department of Children and Families and Divisions of Aging and Developmental Disabilities, police officers, and caregivers at residential health care facilities, police officers, or any person who has reasonable cause to believe an animal has been subjected to an act of animal cruelty to report the suspected violation to the appropriate law enforcement officer, with immunity from civil and criminal liability. The bills are in the Assembly Agriculture and Senate Environment and Energy Committees. The bills also address domestic violence, child abuse and elder abuse.
**New York S 3415** and **A 1211** would require animal cruelty investigators to report suspected child maltreatment, and child abuse investigators to report suspected animal cruelty. **S 3415** passed the Senate and joined **A 1211** in the Assembly Children & Families Committee.

**New York A 1170 / S 7815** would require veterinarians who reasonably and in good faith suspect that a pet is the victim of cruelty, abuse or neglect to report the incident and disclose necessary records to law enforcement and humane investigators. Currently, N.Y. veterinarians are permitted to make such reports. Both the existing and proposed law accord veterinarians who report in good faith – to protect the health and welfare of the patient or the public – immunity from civil and criminal liability. The bills are in their respective Committees on Higher Education.

**New York A 9948** ("Bella’s Law") would require law enforcement authorities statewide who investigate suspected cases of animal abuse to inform the state Office of Children and Family Services to further investigate and determine if the accused individual has any history of family or domestic violence. The bill is in the Committee on Children and Families.

**New York A 9734** would require the Attorney General to establish a 24-hour hotline for the public to report animal abuse and to make reasonable efforts to inform the public of its availability. The bill is in the Governmental Operations Committee.

**Ohio HB 33** would require veterinarians, social services professionals, counselors, social workers, and marriage and family therapists to immediately report suspected companion animal abuse. Dog wardens and deputy dog wardens would be required to report violations concerning companion animals to appropriate social services professionals in situations where a child or older adult resides with the alleged violator and where the animal abuse has an impact on the child or older adult. Good-faith reporters would be immune from civil and criminal liability. The measure passed the House by a vote of 89-2 and was sent to the Senate Agriculture & Natural Resources Committee.

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**Animal Abuse and Other Crimes**

**H.R. 8052**, the bipartisan Animal Cruelty Enforcement (ACE) Act, would establish a dedicated Animal Cruelty Crimes Division at the U.S. Department of Justice to aid in the investigation, enforcement, and prosecution of felony animal cruelty crimes. The measure is in the House Judiciary Committee.

**Guam Bill No. 185-35** would ban animal sexual assault, enact pet protection orders, mandate reporting of animal abuse, impose post-conviction mental health evaluation and treatment, and increase penalties for offenses committed in the presence of a child or by persons with histories of family or sexual violence. The bill has been approved by the Committee on Health, Tourism, Historic Preservation, Land, and Justice.

**Mississippi HB 272** would have required law enforcement agencies investigating crimes against animals to use forms consistent with the FBI’s National Incident-Based Reporting System and to label such crimes as animal abuse. **The bill died in the Judiciary Committee.**
New Jersey A 1572/S 746 would add offenders who are convicted of animal cruelty to the list of other offenders, including sexual assault and endangering the welfare of a child, from possessing a firearm. The bills are in the Assembly Judiciary and Senate Law & Public Safety Committees.

New York A 1834 / S 186, “Kirby and Quigley’s Law,” would expand the definition of aggravated cruelty to animals to include harm to a pet during the commission of a felony. A 1834 is in the Assembly Agriculture and S 186 is in the Senate Domestic Animal Welfare Committees.

New York A 2509 / S 609 would add animal fighting as a criminal act when referring to enterprise corruption. A 2509 is in the Assembly Codes Committee; S 609 passed the Senate but died in the Assembly and was referred back to the Senate Codes Committee.

Pennsylvania HB 1071 (“Cash’s Law”) would allow the state’s sentencing guidelines to provide an enhancement in cases where a domestic animal is harmed or killed during the course of a criminal trespass or burglary. The bill is in the Judiciary Committee.

**Psychological Evaluation of Offenders**

California SB 580 would amend procedures requiring animal abuse offenders on probation to undergo a mental health evaluation by a court-named evaluator and to complete mandatory counseling if the mental health professional deems it necessary, at the defendant’s expense. The bill passed the Senate 38-0 and was in the Assembly Appropriations Committee when the legislature adjourned.

Iowa HF 737, which redefined animal cruelty, neglect and torture and their penalties, added a provision allowing courts to order a psychological or psychiatric examination and treatment for adults convicted of animal mistreatment. Such provisions are mandatory if the offender is a juvenile or committed aggravated or felony animal mistreatment or torture. The bill was signed into law on June 29.

Missouri HB 1320 would have allowed courts to impose psychological or psychiatric evaluation or treatment upon animal cruelty offenders as a condition of probation; evaluation or treatment would have been mandatory upon second or subsequent offenses or if the crime involved animal torture or mutilation. The bill also addressed cross-reporting. It died in the Judiciary Committee.

New Hampshire HB 1449 would have allowed courts to order an animal hoarder to undergo a psychological or psychiatric evaluation and to undergo appropriate treatment. If the person were found to be not competent to stand trial, the court could have ordered custody of the seized animals to be given to another person, shelter or rescue organization. The bill was approved by the full House but laid on the table by the Senate.

New Jersey S 1760 establishes the animal cruelty crime of animal hoarding and requires mental health counseling for all adult and juvenile animal cruelty offenders, including animal hoarders. The bill is in the Senate Energy & Environment Committee. S 2179 (“Shyanne’s Law”) would require mental health evaluation for all animal cruelty offenders; that bill is in the Senate Health, Human Services and Senior Citizens Committee.
**New York A 984 / S 385** would require courts to impose mandatory psychiatric evaluation and treatment for juvenile and adult offenders convicted of aggravated cruelty to animals. **S 384** would require juvenile offenders to undergo psychiatric evaluation and treatment where necessary. The Assembly bill is in the Agriculture Committee. The Senate bills are in the Domestic Animal Welfare Committee.

**New York A 987 / S 2007** would prohibit a person convicted of “Buster’s Law” from having a companion animal unless authorized by court order after they complete appropriate psychiatric or psychological testing. **A 987** is in the Assembly Agriculture Committee; **S 2007** is in the Senate Domestic Animal Welfare Committee.

**THE LINK... IN THE NEWS**

**Argument Over Dog Leaves 8 People and Dog Shot**

Police in Nashville, Tenn. were sorting out a bizarre shooting scene in which eight people and a dog were wounded in a gunfight over the dog. *The Tennessean* reported that police and fire crews responded to a 1 a.m. call which resulted in multiple patients with gunshot wounds being taken to a hospital. Police said the shooting involved a group of people who were hanging out in the area when an argument developed over the dog. When one man reportedly pulled out a handgun, a second man returned with a gun and several other men as gunfire was exchanged. The dog was shot in the hip and was taken by a bystander to an emergency veterinary clinic. Charges of felony reckless aggravated assault were filed against Allen Crump, 22, as police worked to identify a second gunman.

**Deported Repeat Animal Cruelty Offender Gets Jail Time**

A 72-year-old Canadian woman with two previous convictions in the U.S. for animal cruelty and multiple other crimes was sentenced to 10 months in jail for a third episode of starving and neglecting dogs. Gloria Adele Martell, of Halifax, N.S., had stolen the identities of dead children after sneaking across the border from Canada. She went by the assumed names and identities of Linda Snow, Mary Howard and Gloria Marriott before she was deported back to Canada.

Judge Gregory Lenehan also imposed three years’ probation, a lifetime ban on owning animals and $1,815 in restitution to the Nova Scotia SPCA which cared for the nine malnourished and injured dogs when they were seized by SPCA and RCMP officers in 2016, the *Halifax Chronicle Herald* reported. He said that her actions were as selfish, egregious and morally blameworthy as could be, particularly given her having been convicted twice before for cruelty to animals.

In 2008 she received four years’ probation in Massachusetts for eight counts of animal cruelty, perjury and malicious destruction of property for keeping 100 dogs in squalid conditions, and was later resentenced to two years in jail and $74,456 in restitution on additional counts of perjury, identity fraud and witness intimidation. In 2011 she was sentenced to nine months in jail in Connecticut on four counts of animal cruelty, criminal impersonation and resisting arrest for keeping 89 dogs in deplorable conditions; police seized more than $25,000 in cash and $2,300 in Iraqi currency. She was still on probation when she committed the offenses in Halifax and is still awaiting sentencing on additional charges of assaulting two police officers.
Alachua County, Fla., Detectives Bust Alleged Dognapping and Robbery Scheme

Jeffrey Paul Parris, 34, of Gainesville, Fla., was arrested in an elaborate alleged dognapping and robbery scheme when he reportedly demanded a ransom for the dog’s return to Alachua County sheriff’s detectives. The Gainesville Sun reported that Parris allegedly broke into a home and stole thousands of dollars in cash, two handguns, $1,000 shoes, and a pit bull. Following the burglary, the victim began getting texts demanding $20,000 for the dog’s safe return. The dog’s owner notified authorities, who responded by text to Parris, who upped the ante to $25,000 and threatened to send the dog’s paws back in a box if the ransom wasn’t paid. After Parris picked up what turned out to be an empty money bag outside a car wash, detectives tailed his car and found the dog alive and huddled in the back seat. Parris served two years in state prison on multiple burglary and grand theft charges.

Utah Woman Charged with Cruelty and Narcotics Offenses

Victoria Dudnik, 21, of South Ogden, Utah, was charged with felony animal cruelty and four drug-related offenses after animal control officers, responding to a landlord’s call to pick up several animals, found a severely injured dog, three cats and a dead kitten that had been wrapped in a washcloth and placed in a cardboard box. The Ogden Standard-Examiner reported that police said the five-month-old dog could not stand up and smelled very strongly of infection and that there was blood and animal feces on the walls, floor and clothing throughout the house. The veterinarian who treated and later adopted the dog, a Shetland sheepdog mix named “Evangeline,” could not walk, see or hear and had suffered numerous injuries inflicted over time, including skull fractures, a broken jaw, a healed right leg fracture, a broken shoulder, broken ribs, and a crippling hip injury. Police said the dog had been reported missing from an animal shelter. Dudnik was also booked on two felony charges of drug distribution and two misdemeanor counts of possessing drug paraphernalia after marijuana was allegedly found in the residence.

LINK TRAINING OPPORTUNITIES

NOTE: The pandemic has caused many meetings to be canceled, rescheduled or converted into virtual formats. Click on the underlined hyperlinks for more detailed information.

Jan. 7, 2021 – Honolulu, Hawai’i (online): Phil Arkow will conduct a training on “The Link between Animal Sexual Abuse and Human Violence” for the Hawaiian Humane Society.


Feb. 3, 2021 – Phoenix, Ariz. (online): Phil Arkow will speak on The Link and Domestic Violence for the Arizona Coalition to End Sexual and Domestic Violence’s virtual summit.
**Feb. 10, 2021 – Ithaca, N.Y. (online):** Phil Arkow will speak on “The Cruelty Connection: Practical Guidance for the Effective Recognition and Response by Veterinarians to Suspected Animal Cruelty and Other Family Violence” to the Class of 2024 at Cornell University College of Veterinary Medicine.

**Feb. 11-12, 2021 – Columbus, Ohio:** Phil Arkow will present on “Responding to Animal Abuse and Domestic Violence” at the Midwest Veterinary Conference.

**March 2, 2021 – (online):** Nina Stively of Loudoun County, Va., Animal Services will present “When the Animal Wags its Tail” to help law enforcement officers document animal welfare conditions during domestic violence investigations for the Justice Clearinghouse.

**March 10, 2021 – Tallahassee, Fla. (online):** Phil Arkow will present on “The Link between Interpersonal Violence and Violence Against Animals” to the International Veterinary Forensic Sciences Association’s Virtual Veterinary Forensics Rounds.

**April 15, 2021 – Rockville, Md. (online):** Phil Arkow will conduct a webinar on “The Link between Elder Abuse and Animal Abuse and Opportunities for Eldercare Agencies” for the ElderSAFE Center.


**April 30, 2021 – Pulaski, Va. (online):** Phil Arkow will present a webinar on “The Link between Animal Abuse and Human Violence and its Implications for the Criminal Justice System” for the Pulaski Juvenile & Domestic Relations District Court.

**May 11, 2021 – Sacramento, Calif. (online):** Katie Campbell of RedRover will present “Pet-Friendly Domestic Violence Shelters” in a webinar for the Justice Clearinghouse.

**July 15, 2021 (online):** Emily Lewis of the Animal Legal Defense Fund will present a webinar on “Preserving the Bond and Preventing Cruelty: The Veterinarian’s Role” for the Justice Clearinghouse.
## About the National Link Coalition

The National Link Coalition is an informal, multidisciplinary 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

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Organization</th>
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