



# NATIONAL LINK COALITION

*Working together to stop violence against people and animals*

**The LINK-Letter Vol. 16, No. 6 June 2023**

*A monthly report of news from THE NATIONAL RESOURCE CENTER*



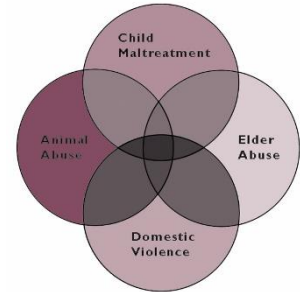
**ON THE LINK BETWEEN ANIMAL ABUSE AND HUMAN VIOLENCE**



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[Phil Arkow](#), Coordinator and Editor

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## **DOMESTIC VIOLENCE... and THE LINK** **Law Journal Itemizes Strategies for Attorneys** **Helping Domestic Violence Clients**

Through the collaborative efforts of many volunteer and professional organizations, New York State continues to be a national leader in enacting legislation addressing The Link between domestic violence and animal abuse. That's the theme of a new article in the New York State Bar Association *Journal* that calls out New York's accomplishments and offers attorneys numerous suggestions to use available legal protections to help clients embroiled in domestic violence situations.



**Amy Bogardus**

Amy Bogardus, the Rochester regional attorney for the Statewide Crime Victims Legal Network, writes that "Animal abuse is so tightly linked to domestic violence that it is unlikely to find abuse of a partner or child in a house with pets where abuse of the pet is not also present. When someone hurts an animal, the question is, who will be next.

"Harming the family pet can be a way for the partner to instill fear, to foster coercion and to compel secrecy from victims, and when a partner gives away or kills the pet, victims are taught that they can just as easily be killed or seriously injured as well," she continues.

Bogardus advises that New York State continues to enact legislation to end The Link between domestic violence and animal abuse. A June 14, 2022 ruling by the Court of Appeals determined that "although nonhuman animals are not 'persons' to whom the writ of *habeas corpus* applies, the law already recognizes that they are not the equivalent of 'things' or 'objects.' Unquestionably, nonhuman animals are sentient beings that, albeit without liberty rights, have been afforded many special protections."

These legal protections include:

- **Orders of protection** that require a respondent "to refrain from intentionally injuring or killing, without justification any companion animal the respondent knows to be owned, possessed, leased, kept or held by the petitioner or a minor child residing in the household."

- **Codification of best interest analysis for possession determination of a pet within domestic relations matters.** Effective Oct. 25, 2021, when awarding possession of the parties' companion animal in all domestic relations matters, New York courts had to consider the best interest of the companion animal and any other factors which the court shall expressly find to be just and proper.
- **Cohabitation access for a client's animal at a residential domestic violence shelter.** While there is no formalized right for a pet, regulations for general operational standards issued by the Department of Social Services state that residential programs for victims of domestic violence "may have policies that permit residents to have emotional support/comfort animals and/or pets accompany residents." Service animals have a conditional right to be at shelters so long as they do not create an undue burden.
- **Protection of pets during the execution of an eviction warrant.** Housing instability is a challenge that many domestic violence victims face, which has an increased negative impact upon pet owners. In August 2018, New York amended the eviction warrant process by adding a provision directing officers serving an eviction warrant to check the property for the presence of a companion animal and to coordinate the safe removal of such animals with the evictee.
- **Impact of a conviction for animal cruelty.** A district attorney's office may pursue animal abuse charges against the client's partner whether domestic violence charges are pursued in criminal or civil court. Explain to the client the different ways an animal abuse conviction may impact her and the abusive partner. The client's petition in family court may be corroborated and strengthened by a successful prosecution of the offense.
- **The changing role of veterinarians.** Effective Feb. 27, 2022, New York State empowered veterinarians by making them mandated reporters of suspected animal cruelty if they reasonably and in good faith suspect that a companion animal's injury, illness or condition is the result of animal cruelty. New York State permits veterinarians to disclose a pet's medical record to officials responding to and investigating complaints of animal abuse.

Bogardus offers several recommendations for attorneys working with domestic violence survivors:

- **Enhancing your knowledge** is the first step in creating a legal strategy customized to the client's needs and goals for their pets. Develop an empathetic understanding of the bond between clients and their pets and the ways partners exploit that bond as a power and control tool.
- By **adding a few more questions** to the existing standard client intake form, attorneys can quickly identify the existence of animals and gain valuable insight and information into the client's situation and the challenges they are navigating. The article lists 13 suggested questions regarding the pets' veterinary and abuse histories, the children's exposure to animal maltreatment, and changes in the partner's use of violence.
- Be prepared to discuss with the client how to **develop a safety plan for the pets**. She describes six actions that should be included in a safety plan for pets.

-- Bogardus, A.M. (2023). **What lawyers can do when pet abuse and domestic violence intersect.** *New York State Bar Association Journal*, 95(3), 46-51.

## Animal and Domestic Violence Abusers Barred from Owning Firearms



Stating that “The legislature finds that gun violence is a multifaceted public health problem that includes suicide, homicide, intimate partner violence, community violence, mass violence, nonfatal gunshot injuries and threats, with community violence and mass violence often committed by those with a history of domestic violence,” Washington State on May 4 enacted a new law prohibiting animal abusers and domestic violence offenders from owning a firearm for five years.

Washington **HB 1562** prohibits individuals who have been convicted of animal cruelty in the second degree, domestic violence, coercion, stalking, or cyberstalking or violation of a protection order, from having unlawful access, control or possession of a firearm for five years. The bill’s preambles also states, “The strongest predictor of future violence is prior violent behavior, including perpetration of domestic violent misdemeanors,” and calls cruelty to animals a “particularly strong risk factor.” The bill passed the House and Senate and was signed into law on May 4.

## Alliance for HOPE International Merges with DomesticShelters.org

A high-level merger of two prominent national child abuse and domestic violence organizations has an intriguing potential to accelerate awareness of The Links between child, domestic and animal abuse. On May 10, [Alliance for HOPE International](#) announced a merger with [DomesticShelters.org](#).



Alliance for HOPE International, founded by Casey Gwinn and Gael Strack and based in San Diego, is a leading systems and social change organization focused on creating innovative, collaborative, trauma-informed, hope-centered approaches to meeting the needs of survivors of domestic violence, sexual assault, child abuse, elder abuse, and human trafficking. The organization, however, has rarely gotten involved with animal abuse’s Links with these survivors.



DomesticShelters.org, based in Phoenix, was created by Theresa’s Fund in 2014 as an online searchable database of pet-friendly domestic violence programs and shelters in the U.S. and Canada and the host of the Purple Ribbon Awards honoring the countless heroes of the domestic violence movement. A new [promotional video](#) includes the need for survivors to include their pets. Alliance for HOPE International will assume responsibility for managing the website of the DomesticShelters.org website.

“Anytime organizations and services can blend together to improve results for survivors and those in the community working to help them, it is something that must be explored,” said Gwinn in announcing the merger. “The team members in both organizations are invigorated by what we’re learning from each other and the incredible potential for how we see it all translating into the world of offering hope and healing to survivors and training to professionals,” added Chris McMurphy, Chairman of Theresa’s Fund.

“When organizations work together to provide high-quality and accessible services, domestic violence and sexual assault survivors can find the help they need to heal and move forward. Alliance for HOPE International and DomesticShelters.org are coming together to reach even more people in need. By combining our resources, we can create an even stronger network to help survivors escape abuse, heal from trauma, and rebuild their lives,” said Ashley Rumschlag, DomesticShelters.org CEO.

## *THE LINK...in the LEGISLATURES*

### Comprehensive Link-based Legislation Introduced in Minnesota



**Sen. John Marty (left) & Rep. Matt Norris**

Two companion measures in the Minnesota State Legislature are using The Link between animal abuse and human violence as a rationale for creating a statewide Office of Animal Protection that would coordinate the anti-cruelty efforts.

**SF 3324**, sponsored by Sen. John Marty, and **SF 3300**, sponsored by Rep. Matt Norris, would not only establish the Office of Animal Protection but also provide for peace officer and other professional training, authorize working groups, establish a courtroom animal advocate procedure, support veterinary forensic laboratories, and define animal cruelty as a crime of violence.

In addition to declaring that ongoing occurrences of animal cruelty necessitate that local authorities are adequately prepared to deal with these crimes to protect the public peace, health, and safety, the bills cite the Link to human violence. “It is further declared that linked to human violence, including domestic violence, child abuse, sexual abuse, elder abuse, terroristic threats, illegal gambling, drugs, and firearms, arson, fraud, or other property and human-related laws; and, therefore, it is the purpose of these sections and the policy of the state that all functions related to enforcing animal cruelty statutes must be coordinated with various state agencies, localities, Tribal nations, the federal government, other states, and private agencies to protect animals and humans.”

The program would create at least six animal protection and response units throughout Minnesota, each headed by a Special Agent.

The bills would implement mandated cross-reporting. Office of Animal Protection personnel would be required to report suspected child and elder abuse to the Department of Human Services; child and adult protective services employees would be required to report suspected animal cruelty to the Office of Animal Protection. All such reporters would be immune from civil and criminal liability if the report is made in good faith.

The Courtroom Animal Advocate Program would allow courts to appoint an advocate to represent the interests of the animal from a list of attorneys who have been trained in this procedure and who would serve pro bono.

The program director would also have the authority to develop additional programs, services including developing treatment models for animal abusers, intervention models for juvenile offenders of animal cruelty, and pet sheltering programs for victims of domestic violence.

The program would strive to eliminate the confusion of a public not knowing who to call to report animal abuse by establishing and maintaining a single 24-hour hotline state answering point system for reporting known or suspected animal cruelty and dispatching complaints to the appropriate authority and jurisdiction.

The bills are in the Senate Judiciary & Public Safety and House Public Safety & Finance Committees and are expected to carry over into next year in the 2023-2024 legislative session.

## *CHILD MALTREATMENT... and THE LINK*

### **Complex Child Abuse Cases Often Ignore Animal Abuse Component**

The complex interplay of animal abuse amid the many manifestations of intergenerational child abuse and other family violence was depicted in a [recent op-ed](#) in the Sunbury, Penna. *Daily Item*. Dr. Pat Bruno, a board-certified specialist in child abuse and medical director of the area's Child Advocacy Center, described the case of a 40-year-old mother with an extensive history of multiple forms of abuse.



**Pat Bruno**

The woman, Tressa, was arrested for child endangerment and neglect and possession of meth when her 3-year-old son Tyson was found roaming the neighborhood at 3 a.m. Tyson was developmentally delayed and the subject of three prior unfounded child welfare reports of suspected child neglect and parental substance abuse. This time, however, Tressa was jailed and Tyson was placed in foster care for six weeks under a no-contact order for his mother. Children & Youth Services recommended inpatient drug treatment for her and out-of-home care for Tyson.

Bruno noted that no one had ever asked Tressa about her history, which included a series of childhood traumas: intergenerational family alcoholism and mental illness; family violence; and emotional, verbal, physical, and sexual abuse. As a teenager she was raped and had a miscarriage and a forced termination of a second pregnancy. From ages 18-30 she had three children in a dysfunctional marriage marked by emotional, verbal, physical, and sexual abuse as well as animal abuse. She divorced at 31, became homeless and ate out of dumpsters.

Bruno emphasized that child abuse can be a multigenerational problem and multidisciplinary screening and interventions for clients for a history of such Adverse Childhood Experiences (ACES) can prevent "the cascade of transgenerational child maltreatment." Regrettably, ACES screening tools do not include children's exposure to animal abuse as one such traumatic factor, and Bruno failed to note this oversight.

The ACES concept was the result of a seminal 1998 CDC study of 17,000 participants over a 14-year period that found that such childhood traumas resulted in long-term physical health problems and increased risk of mortality as well as short-term emotional and physical trauma. (*See the [November-December 2014 LINK-Letter](#)*). Perpetration of, or witnessing, acts of animal cruelty were not included among these experiences

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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.



## Child Welfare and Domestic Violence Advocates Sought for Child Abuse Research Focus Groups



Katharine Wenocur, left, & Kirby Wyckoff

“Professional Responses to Animal Abuse in Childhood: A Mixed Methods Exploration.”

A team of researchers at Thomas Jefferson University in Philadelphia are conducting a study to learn more about how various professionals respond when a case of childhood animal cruelty becomes known. Katharine Wenocur and Kirby Wyckoff are seeking participants for two virtual focus groups to explore their experiences with children who have harmed animals. Participation is voluntary and participants will be compensated for their time. The study is entitled

The two Zoom videoconference sessions are scheduled for:

- **Tuesday, June 27, 12 noon-1 pm EDT for domestic violence advocates and professionals.** Participants must have completed required training in their jurisdiction to be a domestic violence advocate and are working in a direct service role with survivors of domestic violence and their families; and also have encountered at least one example of a child harming an animal in a professional capacity.
- **Wednesday, June 28, 12 noon – 1 pm EDT for child welfare professionals.** Participants must be employed by a local or state jurisdiction, or an adoption agency, have direct contact with children and families involved in the child welfare system, and have encountered at least one example of a child harming an animal in a professional capacity.

To participate, please contact [Katharine.Wenocur@jefferson.edu](mailto:Katharine.Wenocur@jefferson.edu). Please forward this information to additional colleagues who meet the criteria for the study.

## *ANIMAL SEXUAL ABUSE... and THE LINK*

### Animal Sexual Abuse Language Modernized in Maryland

A new law in Maryland updates archaic wording regarding sexual acts involving animals. **SB 54** and **HB 131** sailed through both chambers of the General Assembly and became law without the signature of Gov. Wes Moore.

The measure repealed Criminal Law Code § 3-322 which had made it illegal since 2002 to engage in acts of oral sex with another person or an animal as “unnatural or perverted sexual practices.” The updated law replaces that archaic wording with “any other sexual conduct that is a crime.” Another Maryland statute, § 10-606, defines “sexual conduct with an animal” in more detail and prohibits it as a felony act of aggravated cruelty to animals punishable by up to three years in prison and/or a \$5,000 fine. Offenders can be subjected to mandatory psychological counseling and prohibitions against owning or residing with any animals.

Growing awareness of The Link between bestiality and pedophilia has resulted in 49 states and the District of Columbia outlawing animal sexual abuse; 28 of these laws have been enacted since 1993, when Link awareness began to be more widespread. West Virginia remains the sole state where sex with animals is still legal.

## *VETERINARY MEDICINE... and THE LINK*

### **Veterinarians Urged to Respond to Domestic Violence and Animal Abuse**

"It is essential that veterinarians play a role in reporting suspicions of animal abuse and domestic violence. We may be one of the very few or only external contacts for the survivor. We have a privileged window into the dynamics of a family. It is central to One Health."



**Martha Smith-Blackmore**

That was the message Martha Smith-Blackmore, a forensic veterinarian from Boston, told 116 Portuguese veterinarians in one of four webinars organized by Laurentina Pedroso, Portugal's [Provedora do Animal](#), the national ombudswoman for animal welfare, as a prelude to the [June 2 Link Conference](#) in Lisbon.

Discussing "Why Veterinarians Must Report Suspicions of Animal Cruelty," Smith-Blackmore – a member of the National Link Coalition's Professional Advisory Committee -- said that domestic violence survivors often undergo a feeling of "profound helplessness" when their abusers keep them in a state of isolation. But "the act of entering a veterinary practice may be monumental for them. It may be risky but a risk they are willing to take on behalf of their beloved pet," she said, a risk they might not otherwise undertake for themselves.

"The communication of desperation may be unspoken. For this reason, the veterinarian must be willing to ask the question, 'Do you think someone may have hurt your animal on purpose?' she said. "A veterinarian's question about an animal's safety and welfare and surrounding domestic violence is more likely to elicit an honest answer than a similar question posed by a police officer or emergency room physician."

Smith-Blackmore also emphasized the need for, and advantages of, laws mandating veterinarians to report suspected animal cruelty to legal authorities with immunity from civil and criminal liability. Mandated reporting removes the confusion and ethical dilemma often surrounding a case of suspected abuse and saves the practitioner time. By relieving the stress of having to decide whether or not to report, a mandate preserves veterinarians' mental health, she said, noting an "epidemic" of suicides among U.S. practitioners that is four to five times greater than the national average.

Laws mandating reporting, such as the one enacted in Massachusetts, also have the benefit of adding increased training for veterinarians and investigators about how to diagnose and investigate animal cruelty. These laws increase safety for people and animals.

To those veterinarians who are reluctant to report a suspicious case for fear that they might be wrong, Smith-Blackmore has a simple response: "It's better to be wrong than to have regrets."

She also noted that society has an expectation that veterinarians will be the voice of the animals. A failure to report suspected animal abuse tells the public that veterinarians don't care about animals and risks putting the profession's reputation at risk. "Reporting suspicions of animal cruelty is an expression of professional solidarity," she added.

She described The Link as a situation where the risk of danger in any animal abuse situation can extend to people:

HARM TO ANIMALS	CO-OCCURRING HARM TO PEOPLE
Animal Hoarding	Self-neglect or neglect of others
Animal Abuse in Domestic Violence	Partner/child/elder abuse
Animal Sexual Abuse	Pedophilia or sex trafficking
Animal Torture	Rehearsal for community violence
Animal Fighting	Drug dealing, weapons, gang activity

Other speakers in the webinar series included the National Link Coalition’s Phil Arkow, presenting three programs for law enforcement, veterinarians, and prosecutors; RedRover’s Katie Campbell, describing how to shelter pets belonging to people in domestic violence crisis; and 10 Portuguese law enforcement, veterinary and criminal justice professionals.

## ***LAW ENFORCEMENT ... and THE LINK***

### **Study Finds Law Enforcement/Animal Activists Disconnects**

Animal cruelty has been a criminal offense in Hungary only since 2004, but already public and professional reactions mirror much of what is experienced in countries like the U.S. where the history of animal cruelty enforcement is much longer, including a recognition of The Link between animal abuse and interpersonal violence and a disconnect between professional action and public perception.

These are among the conclusions of a study that interviewed officials at 99 police stations who had investigated 1,169 cases of animal cruelty and 116 Hungarian animal welfare NGOs. The researchers found that most police officers consider animal cruelty to be somewhat more important than average crimes, but the vast majority of animal welfare NGOs consider this crime to be extremely important for various emotional reasons. The researchers found a disconnect between official action and public perception: 77.7% of reports initiated an investigation, while most animal welfare activists (81.3%) suspected that only 25% of reports result in action by the prosecuting authority. “For this very reason, it would be beneficial if the police were to provide more detailed information to the public, because the prejudices that give rise to dissatisfaction with them are largely unjustified,” they wrote.

This disconnect between the emotional outpourings of animal activists and the professional responsibilities of law enforcement officers also manifest in The Link, they wrote. They cited studies Linking incidents of animal abuse with theft, illegal gambling, robbery, harassment, sexual violence, arson, threatening behaviors, intimate partner violence, drug abuse, illegal possession of weapons, child and elderly abuse, physical assault, and gang-related activities.

“The international literature has proved the connection between animal cruelty and violence against people many times. This constitutes sufficient reason for the police to treat animal cruelty as a crime taking priority on professional grounds. However, the strong and animal-centered sentiments of animal welfare activists are accompanied by a tendency to be judgmental and distrustful, which highlights the need for professional and detailed information to be provided to the public,” they advised.

-- Lorászkió, G., Vetter, S., Rácz, B., Sótónyi, P., & Ózsvári, O. (2023). Comparison of police data on animal cruelty and the perception of animal welfare NGOs in Hungary. *Animals*, 13, 1224. <https://doi.org/10.3390/ani13071224>



## *CRIMINAL JUSTICE ... and THE LINK*

### **Study Examines Types of Link Crimes and Offenders in Finland**

Following up on an earlier study that explored the reluctance of veterinarians in Finland to report suspected animal abuse and of police to investigate these cases (*See the [October 2021 LINK-Letter](#)*), researchers at the University of Helsinki are reporting key differences between passive and large-scale animal neglect offenders and those who commit violent acts against animals.

The authors identified two distinguishable offense types among 948 judgments in animal welfare offenses from 2011-2021. Large-scale offenses, defined as recurrent or long-lasting and involving at least 15 animals, were often located in small municipalities and led frequently to the animals' death. They were typically committed by middle-aged or elderly women, which may refer to animal hoarding. In contrast, violent offenses were often committed by young men also charged with other crimes and targeted against other people's animals.

Consistent with other research and humane law enforcement experience, 77% of the cases involved passive neglect. 12% of these were categorized as large-scale offenses; 17.1% of these defendants were charged with other crimes. 14.8% of all defendants were also charged with other offenses, including property crimes (such as killing another person's animal), violent offenses, home invasions, weapons offenses, narcotics and traffic offenses.

26.3% of the cases involved violence against an animal. These offenders tended to be younger men who were charged with other crimes more frequently than the passive neglect offenders. 26.1% of the violent cases targeted animals belonging to spouses, ex-spouses or other family members of the perpetrator.

The authors noted a significant shift in veterinary reporting of animal abuse since 2012, when most inspections involved production animals, to the present time when most investigations involve companion animals. Veterinary evidence, either expert witness testimony or providing written inspection, patient or autopsy reports, was provided in 83% of all court proceedings, which was more likely to lead to a defendant's being convicted if the evidence came from an official veterinarian rather than a clinical practitioner.

The researchers suggested that when a violent crime against an animal is suspected, the preliminary investigation procedure should always include a thorough clinical examination and, in the event of the animal's death, an autopsy report. They argued that to prevent and expose crimes against companion animals, we need to recognize the diverse nature of animal welfare offenses, strengthen the education of and cooperation between authorities, and efficiently utilize the ban on the keeping of animals as a precautionary measure to prevent further offenses.

"This finding highlights the well-known Link between domestic violence and violence against animals. Based on our results, we suggest that the awareness of this Link should be ensured in the training of the police and prosecutors. In this context, it is also vital to recognize the distress of a plaintiff or eyewitness who may themselves be a victim of domestic violence either directly or through the perpetrator harming the animal," they concluded.

-- Valtonen, E., Koskela, T., Valros, A., & Hänninen, L. (2023). Defining crimes against companion animals in Finland – Passive neglect and active maltreatment. *Anthrozoös*. DOI: 10.1080/08927936.2023.2192577

## THE LINK in the LITERATURE

### Report Correlates Animal Cruelty with Other Crimes

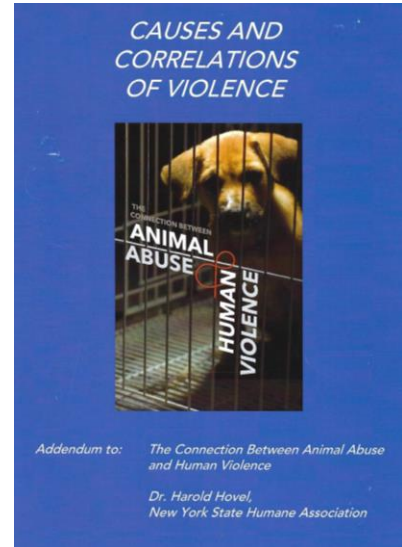
The [New York State Humane Association](#) has published an extensive addendum to its 2016 report on animal abuse and human violence (See the [November 2016 LINK-Letter](#)) that emphasizes that The Link is important because it is easier to determine correlations between crimes than to determine the causes of crime. While many factors have been correlated with crime, such as poverty, substance abuse, violent media, bullying, and access to guns, The Link with animal abuse has been largely overlooked, writes NYSHA Board Member Dr. Harold Hovel.

Hovel charts extensive correlations among crimes and determines that animal abuse is more strongly Linked with violent crimes, domestic violence and child abuse, and less so with homicides and property crimes. Correlations between violent criminals and those who committed animal cruelty before, during or after their crimes range from 68% in the U.S. to 70% in Canada, 63% in South Africa, and 95% in Australia. Correlations between domestic violence and animal abuse are 69%, and 70% between animal cruelty and ongoing child abuse.

“Fighting animal cruelty leads to three important benefits,” Hovel concludes. “Preventing future crime, intervening with young people who may be on a destructive personal path, and identifying possible suspects of crimes that have been committed.”

Since children’s experiencing or witnessing domestic violence appears to be a major cause of future violence, and animal cruelty is tightly connected to domestic violence, investigating, prosecuting and punishing animal abusers would have a significant impact on fighting both domestic violence and crime in general, he concludes. “Domestic violence and child abuse are the most important factors that perpetuate the ‘cycle of violence,’” he writes. “As long as they continue unabated, so will violence in general.”

-- Hovel, H. (2023). *Causes and Correlations of Violence: Addendum to The Connection between Animal Abuse and Human Violence*. Kingston, NY: New York State Humane Association.



### What is The LINK?

Legislation...

Intervention...

Networking...

Knowledge...

...to protect **ALL** vulnerable  
members of the family

## Demographics of Animal Hoarders and Sex Abusers Reviewed

An extensive literature review evaluated 40 current studies on animal abuse including animal hoarding and zoophilia to identify demographic characteristics of adults who abuse animals. The review's main findings suggest that animal hoarders are mostly female and between their fifties and sixties. In contrast individuals who engage in nonsexual animal abuse are more likely to be male and younger (20–35 years). Considering the occupational and social situation of hoarders, these individuals tend to be unemployed or pensioned and are more likely living alone and/ or single. Several comorbid clinical symptoms could be identified in animal abusers such as depression, autism or substance abuse. Proximity to animals due to animal-related occupations (e.g., breeder, farmer) or living in a rural area seems to be common in zoophilic and animal hoarding cases.

-- Emmett, L., Kasacek, N., & Stetina, B.U. (2021). Demographic characteristics of individuals who abuse animals: A systematic review. *People and Animals: The International Journal of Research and Practice*, 4(1), 1-30. <https://docs.lib.purdue.edu/paij/vol4/iss1/3>

## Link Included in Review of Latin American Animal Welfare Challenges

What may be the first comprehensive review of the challenges and controversies – including The Link – surrounding animal welfare across several Latin American countries is noting how each culture's practices, ideologies, rooted traditions, or legal gaps represent challenges to animal welfare. In discussing such subjects as tail docking, ear cropping, declawing, spaying and neutering, mass breeding, and trade in wildlife species the authors – who represent Mexico, Argentina, Brazil, Chile, and Colombia, as well as Australia and the Netherlands -- describe how these countries are making efforts to address and incorporate global welfare standards into domestic and wild animal practice and regulation.

"In Latin America, there are a range of common practices or activities involving certain animal species, many of which are legal, that can impair an animal's quality of life. These include the performance of aesthetic surgical procedures; bull-, cock-, and dog fighting; and the existence of circuses that exhibit animals. The extent and impact of these practices are dependent on the socioeconomic, cultural, territorial, and regulatory landscape of each country. Particularly, Ibero-American regions face welfare challenges that might be influenced by traditions and relevant legal gaps," they write.

They note that the Latin American dog population has increased by 17% in 2022; this suggests the worth of companion animals to society and should influence legal reform and resourcing of enforcement around certain practices, they argue. But a lack of law enforcement, combined with strong cultural- and tradition-related activities, such as animal fighting that are defended by some sectors of society, impede animal welfare progress.

Using a One Health/One Welfare perspective, they describe how awareness of the animal abuse/human violence Link is becoming more widely known among veterinarians in Colombia and Brazil, although reports of suspected animal abuse to legal authorities are limited. While some countries, such as Mexico, have extremely high rates of animal cruelty, they note that one of the great challenges that Latin America faces is socioeconomic vulnerability, where a significant percentage of animal abuse cases occur in families with economic disadvantages and are likely to be failure of the duty of care cases rather than intentional acts.

-- Mota-Rojas, D., Strappini, A., Whittaker, A.L., Ghezzi, M., & Titto, C.G. (2023). Controversial topics in animal welfare in Latin America: A focus on the legislation surrounding the human-companion animal relationship and animals used for recreational practices. *Animals*, 13, 1463. <https://doi.org/10.3390/ani13091463>.

## *THE LINK... IN THE LEGISLATURES*

The 2023 state legislative season is in full swing and the impetus for introducing bills addressing animal abuse's Links with human violence shows no signs of letting up after 2022's record 19 laws being passed among 148 bills and ballot initiatives in 36 states and the District of Columbia. Already, 127 bills have been introduced in 2023 in the U.S. and Canada. Please join us in following their progress and alert us of any additional bills we may have missed!

### **Bills We're Watching:**

#### *Domestic Violence/Pet Protection Orders*



**Arizona HB 2184** would allow courts to issue an ex parte Severe Threat Order of Protection that would prohibit the respondent from possessing a firearm based upon the respondent's credible threat of death or serious physical injury to self, others, or the cruel mistreatment of an animal. The bill is in the House Judiciary and Rules Committees.



**California SB 89** would expand the definition of stalking to include putting another person in fear that their pet, service animal, emotional support animal, or horse would be killed or injured. The bill passed the Senate Committee on Public Safety and was referred to the Appropriations Committee.



**Colorado HB 23-1107** would continue to allocate \$7.5 million annually indefinitely to the state domestic violence and sexual assault services fund for governmental and nonprofit agency programs that provide services for crime victims, including attending to the needs of companion animals. (The fund is currently set to expire in 2027.) The bill is in the House Appropriations Committee.



**Delaware HB 95** requires the Family Court to award possession and provide for the care of companion animals when dividing marital property after considering the well-being of the companion animal. The bill is in the Senate Judiciary Committee.



**Delaware SB 70** would add engaging in cruelty to or inflicting or attempting to inflict physical injury to a companion animal to the definition of abuse for protection-from-abuse proceedings. It would provide specific authority for the Court to include provisions in a protection-from-abuse order that grant a petitioner exclusive care, custody, or control of a companion animal and order a petitioner to stay away from the companion animal. The bill passed the Senate unanimously and is in the House.



**Illinois SB 44, SB 1390 and HB 1404** would amend the Domestic Violence Act clarifies provisions that require respondents to a domestic violence order of protection – which can include provisions that protect household pets – to surrender any firearms. The bills are in the Senate Assignments and the House Rules Committee.



**Indiana SB 41** would increase the penalty for animal cruelty from a Level 6 felony to a Level 5 felony if the act was committed with the intent to threaten, intimidate, coerce, harass, or terrorize a family or household member. The bill is in the Senate Committee on Corrections and Criminal Law.



**Massachusetts H.1702 and S.1019** would expand existing laws that allow courts to include animals in domestic violence protection-from-abuse orders to also include the statutes covering stalking harassment. The bills are in the Joint Committee on the Judiciary.



**Massachusetts H.1542, H.1547 and S.1077** would add “coercive control,” including committing or threatening to commit cruelty to animals that intimidates the family member, household member, or former partner, to the definition of abuse. The bills are in the Joint Committee on the Judiciary.



**Massachusetts S.1019** would expand existing provisions allowing courts to direct the care and custody of pets in domestic violence protection-from-abuse orders, and to order defendants to not harm the animals, to also include victims of harassment. The bill is in the Joint Committee on the Judiciary.



**Missouri SB 382** would modify the definition of “shelter for victims of domestic violence” to include those shelters which also accept companion animals and would allow residents up to a \$1,000 credit against their state tax liability for converting real estate property into such a pet-friendly shelter. The bill is in the Senate Agricultural, Food Production and Outdoor Resources Committee.



**Nebraska LB 11** would allow domestic violence victims to file for protection orders that would allow courts to direct the care, custody and control of household pets and enjoin the respondent from coming into contact with, harming or killing household pets. The bill is in the Judiciary Committee.



**Nevada AB 51** would have expanded the existing law, which includes “injuring or killing an animal” within the definition of domestic violence, to include “attempting to” injure or kill an animal. **The provision was deleted** in a Judiciary Committee amendment as the remainder of the bill was sent to the Senate.



**New Hampshire HB 549** would expand existing provisions in RSA 173-B:1, which include acts of animal cruelty within the definition of domestic violence abuse, to also include “committing or threatening to commit cruelty to animals that intimidates the family or household member” within the definition of coercive control. The bill is in the House Committee on Criminal Justice and Public Safety.



**New Jersey A4229/S 1789** would expand the statutory definitions of domestic violence, child and elder abuse, and abuse of persons with a disability to include acts of animal cruelty against those persons’ animals. The bills are in the Assembly Agriculture & Food Security and Senate Environment & Energy Committees.



**New Mexico SB 18** would have renamed the Family Violence Protection Act to become the “Protection Against Abuse and Violence Act,” would have allowed courts to include animals in orders of protection, and would have included “harm or threatened harm to an animal to intimidate, threaten or harass a person” within the definition of abuse. **The bill was in the Judiciary Committee when the Legislature adjourned.**



**New Mexico SB 291** would have appropriated \$350,000 to the Children, Youth & Families Department to support program work for domestic violence victims and their animals. The bill passed the Senate Health & Public Affairs Committee **but died when the Legislature adjourned.**



**New York A 39 and S 5309** would provide further protection for pets in domestic violence protection orders by authorizing the court to order a party to either relinquish a companion animal or to refrain from any contact with it. The bills are in the Assembly Judiciary and Senate Children & Families Committees.



**New York A483** would amend the penal law to create new crimes of animal cruelty when a companion animal is intentionally injured or killed in order to intimidate, threaten or harass a family member; it would be a Class D felony, or a Class C felony if committed in the presence of a minor child. The bill is in the Assembly Codes Committee.



**New York A 1276, “Bella’s Law,”** based on the premise that “animal cruelty is a serious problem and that individuals who harm and abuse animals are statistically more likely to engage in domestic violence and child abuse,” would require animal cruelty investigators to inform the Office of Children and Family Services who must further investigate the accused individual and coordinate its findings with the referring or prosecuting agency. The investigation would determine whether the accused or investigated party has any associated family or domestic violence. CFS would not be notified if it would jeopardize an ongoing investigation or the safety of an individual, or if it is clear the accused has no family members. The bill is being held for consideration in the Assembly Children & Families Committee.



**New York A 5504** would require every county in the state to have sufficient residential and non-residential domestic violence services and care for victims and their children. Residential shelters’ programs could include therapy dogs and companion animals as well as service animals. The bill is in the Committee on Social Services.



**New York S 5935** would order the Office of Court Administration to issue free wallet-sized laminated “Hope Cards” to petitioners who have been granted a final order of protection. Hope Cards would contain information about the respondent and any other individuals or companion animals covered under the protection order, and be as valid as a paper order of protection. The bill is in the Senate Judiciary Committee.



**Oregon SB 496A** would appropriate \$6,000,000 in one-time, General Fund moneys for grants to domestic violence and emergency shelters to provide support for residents’ pets. The bill passed the Senate Committee on Housing and Development and was referred to the Joint Ways and Means Committee.



**Pennsylvania HB 1108**, recognizing that “companion animals are living beings that are generally regarded as cherished family members that offer their owners companionship, security and assistance” and “occupy a special category of personal property which does not include inanimate property,” would allow parties in a divorce settlement to enter into an enforceable contract dictating the possession and care of pets based on which party could provide the best care and social interaction. The bill is in the House Judiciary committee.





**Pennsylvania HB 1210** would amend the Domestic Relations title to allow courts to grant temporary ownership rights over companion animals in protection orders and direct defendants from harming, possessing, transferring, or relocating the animal. The bill is in the House Judiciary Committee.



**Rhode Island H 5705** would allow district courts to consider the well-being of a pet in seeking equitable relief relating to a determination of contested ownership of the pet. Unlike other states with similar laws addressing pets in divorce settlements, the Rhode Island court could not award joint ownership, visitation privileges or financial support, and could award ownership to an animal welfare organization if the court found that neither of the previously cohabiting parties could provide a safe and appropriate living environment for the pet. The bill was being held for further study in the House Judiciary Committee.



**Rhode Island H 5918** would allow courts to award sole custody of pets in divorce and separation proceedings based on the best interests of the animal. It would not apply to service animals. The bill was being held for further study in the House Judiciary Committee.



**Rhode Island H 5114** would expand existing domestic abuse protection orders, which currently allow courts to provide for the safety and welfare of all household animals and pets, to also allow courts to award plaintiffs custody of pets including the enforcement remedy of a restraining order or other injunctive relief if necessary. The bill was being held for further study in the House Judiciary Committee.



**Rhode Island H 5919 and S 813** would add “unnecessary cruelty”, “malicious injury to or killing of animals,” and “abandonment of animals” to the statutory definition of domestic violence. In situations where both animal abuse and domestic violence occur, the penalties for violation would include those described in both the domestic violence and animal cruelty statutes. The bills are in the House and Senate Judiciary Committees.



**Tennessee SB 568 and HB 467** would allow courts in a divorce or annulment action to provide for the sole or joint ownership of any pet or companion animal owned by the parties, taking into consideration the well-being of the animal. **SB 568** passed the Senate 33-0 and was sent to the House; **HB 467 failed** in the Civil Justice Committee.



**Texas HB 1179** would require the Attorney General and the State Bar of Texas to develop information to be provided to the public about the provisions that pets and assistance animals may be included in protective orders. Such information would have to be readily available at prosecutors’ offices to persons applying for protective orders. The bill was approved by the House and sent to the Senate State Affairs Committee.



**Texas HB 4336** would delete the provision permitting courts to prohibit respondents in domestic violence protection orders from possessing firearms. **HB 3996** and **SB 1274** would allow courts to prohibit alleged offenders from possessing firearms and ammunition, unless they are peace officers or members of the military. Respondents would be allowed to petition for an Extreme Risk Protection Order based on the belief that the respondent's possession of firearms poses an immediate and present danger of injury or death. (Texas protective orders already include provisions protecting pets.) The bills are in the House Select Committee on Community Safety and the Senate State Affairs Committee.



**Virginia HB 713** would have made it a Class 1 misdemeanor for a person to engage in coercive control of a family or household member, including committing or threatening to commit cruelty to animals that intimidates the other party. It also would have included coercive control in the definition of "family abuse" used for the basis of the issuance of family abuse protective orders. The bill was in the Committee for Courts of Justice **when the Legislature adjourned**.



**Washington HB 1562** prohibits individuals who have been convicted of animal cruelty in the second degree, domestic violence, coercion, stalking, or cyberstalking or violation of a protection order, from having unlawful access, control or possession of a firearm for five years. The bill's preambles states, "The strongest predictor of future violence is prior violent behavior, including perpetration of domestic violent misdemeanors," and calls cruelty to animals a "particularly strong risk factor." The bill passed the House and Senate and **was signed into law on May 4**.



**Canada Bill C-21** would amend the Firearms Act to prevent individuals who are subject to a protection order or who have been convicted of domestic violence, which includes threats or harm to another person's animals, from obtaining a firearms license. The bill had its 3<sup>rd</sup> Reading in the Senate on May 18.



**British Columbia Bill 17** would amend the Family Law and give divorcing parties options to jointly or exclusively own their companion animals and allow courts to consider the animals' best interests and the family's history of violence in ordering ownership of the animals as part of the divorce settlement. The bill had its Third Reading on April 3.

### ***Animal Hoarding***



**New Jersey S 1144** establishes the crime of animal hoarding and requires mental health counseling for all adult and juvenile animal cruelty and hoarding offenders. The bill is in the Senate Energy & Environment Committee.



**West Virginia HB 3345** would have created a new crime of hoarding of animals, defined as possessing "a large number" of companion animals with inadequate food, water, shelter, protection from the weather, and veterinary care, and displaying an inability to recognize, or has a reckless disregard for, the animals' conditions. Offenders could have been fined \$500 and have their animals confiscated. **The bill died in the Committee on Agriculture & Natural Resources Committee.**

## *Animal Sexual Abuse*



**Connecticut HB 5851** would define “bestiality” to include brutalizing animals by sexual assault with an object, coercion of others to have sex, and the creation and distribution of pornographic images of prohibited sexual contact with an animal. The bill is in the Joint Committee on the Judiciary.



**Connecticut HB 6714** would define “sexual contact with an animal”, and a new crime of “sexual assault of an animal” which would include sexual contact and creating or distributing photographic images of sexual contact with an animal. Law enforcement and animal control officers could seize any animal believed to be victimized for veterinary examination and treatment. Convicted offenders would be barred from having any contact with animals for 5 years. The bill passed both the House and the Senate.



**Kansas HB 2355** would remove sodomy between consenting members of the same sex from the crime of criminal sodomy; sodomy between a person and an animal would remain a crime of criminal sodomy. The bill is in the House Committee on Corrections and Juvenile Justice.



**Maryland SB 54 and HB 131** eliminated a statute containing the archaic terminology of “unnatural or perverted sexual practice” referring to oral sex with animals or other persons. Another statute already prohibits “sexual conduct with an animal” in more detail as a felony act of aggravated cruelty to animals punishable by up to three years in prison and/or a \$5,000 fine. It will take effect on Oct. 1. Each bill passed its respective chamber and the measure **became law without the Governor’s signature.**



**New Mexico SB 215**, the Animal Sexual Abuse Act, would establish crimes of bestiality and aggravated bestiality, with felony-level penalties upon conviction. Those convicted of these crimes would be registered as sex offenders, would be banned from keeping or caring for animals, and may be ordered to submit to psychological assessment and counseling. The bill passed the Senate and House unanimously and **was signed into law on March 30.** It becomes effective June 16.



**New York A 1865** would make sexual conduct with an animal that results in the animal’s injury or death a felony. Convicted offenders would be required to: relinquish and permanently forfeit custody of all animals; be barred from working or volunteering in a place with unsupervised access to animals; and reimburse animal shelters and veterinarians for costs of care and treatment. The bill is in the Assembly Agriculture Committee.

## *Animal Abuse and Abuse of the Elderly, Disabled and Vulnerable*



**Nevada AB 254** would expand existing domestic violence protection-from-abuse orders that protect animals to allow courts to issue temporary protection orders for vulnerable adults, including persons over age 60, or who have developmental disabilities, mental illness, physical or mental limitations, or who are in long-term care or receiving in-home nursing services. The bill is in the Assembly Judiciary Committee.

### *Animal Abuse and Child Maltreatment*



**Georgia HB 217 and SB 255** would have added cockfighting to the state's dogfighting prohibitions and make it a "misdemeanor of a high and aggravated nature" or a felony to permit a minor child to attend a dog- or cock fight. **The bills died when the Legislature adjourned.**



**Kansas SB 239** would allow child vulnerable witnesses to be accompanied by a certified critical incident response therapy K9 team during any criminal proceeding. The bill is in the Senate Judiciary Committee.



**Kentucky HB 321** would make animal abuse a Class D felony if the act is committed in the presence of a minor child. The bill is in the House Judiciary Committee.



**Massachusetts S.90 and H.198** would give the Department of Children & Families the right to request that pre-adoptive parents or foster parents provide a behavior/temperament assessment, histories of dangerous incidents, spay/neuter status, the number of animals in the home and their housing conditions, and/or veterinary records of any animal maintained on the premises; DCF could not restrict placement of a child solely based on the presence of any particular breed of dog in the home. The bills are in the Joint Committee on Children, Families and Persons with Disabilities.



**New Jersey A 4229/S 1789** would expand the statutory definitions of child and elder abuse, domestic violence and abuse of persons with a disability to include acts of animal cruelty against those persons' animals. The bills are in the Assembly Agriculture & Food Security and Senate Environment & Energy Committees.



**New York A483** would amend the penal law to create new crimes of animal cruelty when a companion animal is intentionally injured or killed in order to intimidate, threaten or harass a family member; it would be a Class D felony, or a Class C felony if committed in the presence of a minor child. The bill is in the Assembly Codes Committee.



**New York A 394 and A 1430** would increase the penalties for acts of aggravated animal cruelty when committed in the presence of a child. The bills are in the Assembly Agriculture and Judiciary Committees, respectively.



**New York A 444** would establish a misdemeanor crime of knowingly causing a minor to attend an animal fight. The bill is in the Assembly Agriculture Committee.



**New York A 3346 and S 3170, "Kyra's Law,"** would allow courts to consider a person's threats to harm or kill emotional support or comfort animals among the risk assessment criteria in determining that person's visitation and custody rights in a child abuse proceeding. The bills are in the Assembly and Senate Judiciary Committees.



**Texas HB 720 and SB 139** would allow therapy or facility dogs to accompany a child or a person with a disability during testimony in certain criminal cases. **HB 720** is in the House Criminal Jurisprudence Committee; **SB 139** is in the Senate Criminal Justice Committee.

## *Cross-Reporting*



**Connecticut HB 5851** and **HB 6714** would require veterinarians to report suspected animal abuse to appropriate authorities, with civil immunity for reports made in good faith. **HB 5851** is in the Joint Committee on the Judiciary; **HB 6714** has passed both the House and the Senate.



**Connecticut SB 53** would require veterinarians who have reasonable cause to suspect that an animal is the victim of malicious and intentional maiming, mutilation, torturing, wounding, or killing to report the case to the Commissioner of Agriculture or his appointed designee. Veterinarians would be permitted to report lesser animal cruelty and neglect offenses. In both situations, veterinarians would be allowed to testify and would be immune from civil and criminal liability and professional disciplinary action. The measure, introduced “to protect the health of animals and afford protection to veterinarians who report cases of suspected aggravated cruelty and neglect to the state,” would take effect Oct. 1. The bill is in the Joint Committee on the Environment.



**Delaware SB 71** would require law enforcement agencies, the Department of Services for Children, Youth and Their Families, and the Department of Justice to report suspected animal cruelty to the Office of Animal Welfare that is discovered while performing their responsibilities in child welfare cases. It would also provide immunity to people who in good faith, report suspected animal cruelty. The bill passed the Senate and the House.



**Iowa SF 316** and **HF 472** would grant veterinarians immunity from administrative, civil or criminal liability for reporting alleged animal abuse in good faith to a peace officer or aiding investigation and court proceedings. They would not be subject to normal confidentiality requirements. Knowingly making a false statement or providing false information would subject the veterinarian to disciplinary action, civil liability, and criminal charges. The bills passed the House 97-1.



**Maryland HB 1192** would require humane officers to investigate cases of suspected animal cruelty committed by a minor and authorize them to coordinate with social services entities to conduct evaluations, monitoring and support of the minor child. Humane officers would be allowed to seize the animals if necessary to protect them. The bill is in the House Judiciary Committee.



**Massachusetts S.82** would require animal control officers, who are already mandated to report suspected child abuse, to complete an evidence-based training, approved by the Office of the Child Advocate, on child abuse and sexual abuse. Current law only states that mandated reporters must complete training. The bill is in the Joint Committee on Children, Families and Persons with Disabilities.



**Minnesota SF 3324** and **SF 3300** would require Office of Animal Protection personnel to report suspected child and elder abuse to the Department of Human Services; child and adult protective services employees would be required to report suspected animal cruelty to the Office of Animal Protection. All reporters would be immune from civil and criminal liability if the report is made in good faith. The bills are in the Senate Judiciary & Public Safety and House Public Safety & Finance Committees.



**Missouri SB 91** would require veterinarians, animal control officers and animal humane investigators to report suspected cases of abuse and neglect of children, the elderly and other vulnerable persons. **HB 300** would also include veterinarians among the mandated reporters. They would be required to receive one hour of training within the first 60 days of employment to recognize such signs of abuse or neglect. Certain mental health, educational, protective services, and law enforcement personnel would similarly be mandated to report cases of companion animal abuse or neglect to a hotline established by the Missouri Animal Control Association and receive similar training. Mandated reporters who fail to make a report would be subject to discipline by his or her professional licensing board, as well as a fine. **SB 91** is in the Senate Health & Welfare Committee.



**New Jersey A 4936** would require employees of the Division of Children Protection and Permanency who investigate child abuse and neglect and have reason to believe that an animal has been subjected to, or who witness an act of animal abuse, cruelty, or neglect, to report the suspected or witnessed act of animal abuse, cruelty, or neglect. Nothing in the bill requires an employee to report such an act. Employees who make a report, provide records or information relating to the report, or who testify in any judicial proceeding arising from the report, would be immune from liability for any actions taken in good faith. The bill is in the Assembly Agriculture and Food Security Committee.



**New Jersey A 4229/S 1789** would require veterinarians, veterinary technicians, domestic violence investigators, employees of the Department of Children & Families, employees of the Department of Human Services, Division of Aging, police officers, and caregivers at residential health care facilities to report suspected animal cruelty to an appropriate law enforcement officer with civil and criminal immunity for reporting in good faith. The bills are in the Assembly Agriculture & Food Security and Senate Environment & Energy Committees.



**New York A 3908 and S 5947** would require any person charged with enforcing laws prohibiting cruelty to animals to cause a report to be made when, in the performance of his or her duties, such person has reasonable cause to believe that abuse or maltreatment of a child has also occurred; a person charged with the responsibility of filing a report of child abuse or maltreatment would also be required to file a report of suspected animal cruelty. The bills are in the Assembly and Senate Children & Families Committees.



**New York A 5405** would cause the Attorney General to establish a 24-hour toll-free animal abuse hotline and inform the public of its existence. Hotline personnel would transmit reports received to appropriate law enforcement or animal protection organizations. The bill is in the Committee on Governmental Operations.



**Oregon HB 3539** would increase the penalty for mandated reporters' failure to report suspected child abuse, including animal control officers, from a violation to a Class A misdemeanor. The bill is in the House Judiciary Committee.



## *Psychological Evaluation and Therapeutic Interventions for Offenders*



**U.S. H.R. 56, the RAISE Act** (Reforming Alternatives to Incarceration and Sentencing to Establish a Better Path for Youth Act of 2023) would have the Bureau of Prisons establish a two-year pilot program, in at least 10 judicial districts, to equip incarcerated youths with the skills to provide therapy and training to animals seized by federal law enforcement and to organizations that provide shelter and other services to abandoned, rescued or otherwise vulnerable animals. The bill is in the House Judiciary Committee.



**California AB 829** would expand current mandatory counseling for violations under penal code section 597 to several other sections pertaining to serious animal abuse crimes. It would require the court to consider a mental health evaluation for individuals convicted of serious animal abuse as defined by California law, with the option, depending on the results of the evaluation, of requiring treatment. The bill still allows judges to order those convicted of lesser animal abuse crimes to complete an education-based course. The bill passed the Assembly Committee on Public Safety and was referred to the Appropriations Committee.



**Massachusetts S.1142** would allow courts to order psychiatric, psychological or mental health evaluations and treatment for animal abuse offenders. Completion of counseling, anger management, humane education or other treatment programs designed to address the underlying causative factors for the violation could result in any imposed fines being suspended. The bill is in the Joint Committee on the Judiciary.



**Nevada SB 359** would authorize juvenile courts to order a child who is adjudicated delinquent for killing or possessing certain animals to attend or participate in counseling or psychological treatment if the child is unable to pay the usual fine because of financial hardship. The bill is in the Senate Judiciary Committee.



**New Jersey S 1144** would establish the crime of animal hoarding and require mental health counseling for all adult and juvenile animal cruelty and hoarder offenders. It is in the Senate Energy & Environment Committee. **S 1153** and **A 4540 (“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 433, A 1507** and **S 294 (“Buster’s Law”)** would require courts to order psychiatric or psychological testing to determine whether an animal cruelty offender is capable of providing humane care before issuing an order prohibiting the possession or ownership of a companion animal. The bills are in the Assembly and Senate Agriculture Committees.



**New York S 299** and **A 390** would require offenders convicted of aggravated cruelty to animals to undergo psychiatric evaluation and appropriate treatment for mental illness. The bills are in the Senate and Assembly Agriculture Committees.



**Pennsylvania HB 530** would require persons convicted of animal cruelty to attend and complete violence prevention counseling. The bill is in the House Judiciary Committee.



**Tennessee SB 183 and HB 398**, recognizing that “cruelty to animals by a child often leads to further criminal activity, sometimes homicidal activity by the child as he or she ages,” would require juveniles who commit aggravated animal cruelty under certain circumstances to receive mental health evaluation and treatment. **SB 183** passed the Senate 33-0 and the House 92-0 and was **signed by the Governor on May 5**. It becomes effective July 1.



### *Court-Appointed Advocates for Animals*



**Connecticut HB 6260 and SB 1060** would expand the court advocate program to permit the court to appoint an advocate on behalf of any animal owned or kept by a person in a proceeding regarding the welfare or custody of the animal. The bills are in the Committee on Judiciary.



**Connecticut HB 5579** would amend and clarify the pioneering “Desmond’s Law” by allowing a judge to appoint an advocate in egregious animal abuse cases regardless of the animal involved. The bill was sent to the House and Senate Judiciary Committees.



**Florida HB 989 and SB 1006** would authorize courts to appoint attorneys or law school interns to serve as a separate advocate in the interests of justice to represent animals’ interests in civil and criminal animal welfare proceedings. The bills are in the House Judiciary Committee and the Senate Judiciary, Criminal Justice and Rules Committees.



**Illinois HB 1169** would amend the Code of Criminal Procedure to allow a court to appoint a licensed attorney or law student as a special advocate to represent the interests of justice regarding the health or safety of a cat or dog in the prosecution of a case involving the animal’s injury, health or safety. The bill is in the House Rules Committee.



**Minnesota SF 3324 and SF 3300** would allow courts to appoint an advocate to represent the interests of the animal from a list of attorneys who have been trained in this procedure and who would serve pro bono. The bills are in the Senate Judiciary & Public Safety and House Public Safety & Finance Committees.



**Missouri SB 382** would allow children or vulnerable persons testifying in judicial proceedings to be accompanied by a certified therapeutic dog. The bill is in the Senate Agricultural, Food Production and Outdoor Resources Committee.



**New Jersey A 1965/S 2211** would create a two-year pilot program to allow courts to appoint a pro bono attorney or law student special advocate to represent the best interests of, and justice for, animals in cruelty cases. It was reported out of the Assembly Judiciary Committee and is in the Senate Environment and Energy Committee.



**New York A 111 and S 1659** would create court-appointed attorney and law student advocates for animals in civil and criminal animal welfare cases, to represent the interests of the animal. The bill is in the Assembly Judiciary Committee.

## *Animal Abuse and Other Crimes*



**Arizona HB 2184** would allow petitioners to file for a Severe Threat Order of Protection, which would prohibit a respondent from gaining access to firearms, if the respondent poses a credible threat of death or serious injury to self or others or cruel mistreatment of an animal. The bill is in the House Judiciary and Rules Committees.



**Arizona SB 1086** would include animal fighting and cockfighting, when committed for financial gain, within the state's definition of racketeering. It is in the Senate Natural Resources and Rules Committees.



**Louisiana SB 212** would authorize the seizure of firearms from persons who make threats of violence or who pose a risk of imminent harm, based on criteria that include recent acts of animal cruelty. The bill is in the Senate Judiciary Committee.



**Maine LD 1121** would have transferred training of municipal animal control officers from the Department of Agriculture, Conservation & Forestry to the Commissioner of Public Safety. After completing basic training, officers would have had to complete an advanced training program that would include animal hoarding and animal cruelty with respect to domestic violence. **The bill passed the House but died in the Senate.**



**New Jersey A3841** would prohibit offenders convicted of animal cruelty from possessing a firearm or being issued a permit to purchase a handgun. The bill is in the Assembly Judiciary Committee.



**New York A 340** would include felony animal cruelty offenses among the crimes which would prohibit possession of a firearm. The bill is in the Assembly Codes Committee.



**New York A 1639** would require the district attorney in each county to appoint at least one assistant district attorney to be responsible for overseeing the prosecution of animal cruelty crimes. The bill is in the Assembly Local Governments Committee.



**New York A 1844** would move the state's anti-cruelty statutes from the Agriculture and Markets Law to the Penal Law. The bill is in the Assembly Codes Committee.




**New York S 96** would enact "Kirby & Quigley's Law" expanding the definition of aggravated cruelty to animals to include harm to a companion animal during the commission of a felony. The bill is in the Assembly Agriculture Committee.



**New York S 5337** would add animal fighting as a criminal act when referring to enterprise corruption. The bill is in the Senate Codes Committee.



**Oregon SB 696** would appropriate General Fund money for an animal cruelty-focused attorney in the Department of Justice's Criminal Justice Division. Oregon already has a successful statewide animal cruelty prosecution program through the Division, but the position is grant-funded and it is unknown how long the grant funding will continue. The Senate Judiciary Committee recommended its passage and referred it to the Joint Committee on Ways and Means.

 **Pennsylvania HB 642** would allocate \$2,000,000 per year to local law enforcement agencies to investigate and enforce violations of gambling and animal fighting laws. The bill is in the House Committee on Gaming Oversight.

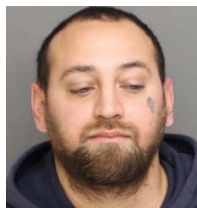
## ***THE LINK... IN THE NEWS***



**Tyler Wehmeyer**

### **Kentuckian Charged with Deaths of Three People and Two Dogs**

Tyler Wehmeyer, 28, of Vine Grove, Ky., was arrested by Kentucky State Police and charged with three counts of murder, two counts of cruelty to animals and tampering with physical evidence after three people and two dogs were found dead inside a home. The [Louisville Courier-Journal](#) reported that Wehmeyer was identified as an “other family” member to the victims, Audrey Whealan, 77, Michelle Whealen, 51, and Doss Smothers, 58. Each of the victims showed injuries consistent with blunt force trauma. Police said that Wehmeyer admitted to killing the dogs and the people and moving two of the bodies.



**David Valle**

### **Man Convicted of Threatening Firefighters and Animal Cruelty**

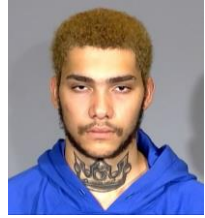
A Bridgeport, Conn. man who said he was going to put a bullet in the head of each firefighter who put out a fire in a backyard shed was convicted of animal cruelty and threatening behavior. [Hearst Connecticut Media](#) reported that David Valle, 41, was convicted on the cruelty charge for having two emaciated and dehydrated dogs that had apparently not been fed for a month. Valle was acquitted of another charge of burning three dogs in the shed after it could not be proven that he had owned the dogs or put them in the building, which he said was a backyard smoker. Valle could face up to four years in prison when he is sentenced on July 14.

### **L.A. Man Beaten as Thieves Steal His French Bulldog**

The increased popularity of French bulldogs, which has resulted in a rash of thefts of the expensive breed, claimed another victim in May in the Ladera Heights section of Los Angeles. [KTLA-TV](#) reported that Stefan Becker was left beaten and desperate for help after his beloved French bulldog was stolen during an early morning walk. The victim’s family is now pleading for the public’s help to find their beloved dog, “Bruno”. Becker was left battered and bruised after three or four men beat him up as he was walking around 5:30 a.m. The thieves took 3-year-old Bruno and fled from the scene. “Two massive guys got out of the car covered with ski masks and gloves,” recalled Becker. “One of them jumped out of the passenger seat and approached me while I was stumbling backward saying, ‘Give me the f\*\*\*\*\* dog.’ I had my dog on the leash and when I heard that, I immediately got hit in the face.” He said a second person then came out of the car and began kicking him in his ribs. One suspect grabbed Bruno, hopped back into the car and the men drove off. “When everything’s said and done, I can forgive the people who treated me like a piece of dirt,” said Becker. “Just give us back our dog.”

## Accused Dog Torturer Charged with Murder

An Indianapolis man who had previously been arrested for a hanging and stabbing of a dog he had adopted from a local animal shelter was subsequently charged with murder stemming from a shooting that occurred less than a month before the gruesome dog killing. Zech Thomsen, 19, was charged with the murder of Vincent Lovett Clifton, 38, last July 13. [Fox 59 News](#) reported that court records detail that the shooting started following an argument between sisters. Many of the nearly 20 witnesses to the shooting claimed that Clifton was trying to serve as a peacemaker when he was killed by a hail of bullets being fired upon the men. A second victim was shot in the hand, foot and knee while dodging gunfire. Thomsen was previously arrested in early August along with three others after a 2-year-old dog named “Deron” was hung by its leash on a porch and tortured and stabbed to death.



**Zech Thomsen**

## LINK TRAINING OPPORTUNITIES

**NOTE:** More and more trainings are being converted back into live rather than into virtual formats. Click on the underlined hyperlinks for more detailed information.

**June 15 is World Elder Abuse Awareness Day.** The [National Adult Protective Services Association](#) will convene the Global Summit with a livestreamed broadcast bringing together international policymakers, APS workers, advocates, financial services institutions, media, social services organizations, and individuals from all over the world to address a growing problem.

**June 15-18 – Edinburgh, Scotland:** The 32<sup>nd</sup> Annual Conference of the International Society for Anthrozoology ([ISAZ](#)) will include presentations on “One Welfare Phoenix Project: The Links between Animal and Human Abuse and Neglect,” by Rebecca Garcia Pinellos and Gilly Mendes Ferreira, and “Animal Crime in Context: An Examination of Community-Level Correlates of Animal Welfare Offenses and Violent Crime in Finland,” by Keri Burchfield, Fred Markowitz and Tarja Koskela.

**June 21 – (online):** Pennsylvania’s [Keystone Link Coalition](#) will hold its regular monthly meeting.

**June 22 (online):** Emily Lewis of the Animal Legal Defense Fund will present “Stand Up for the Animals with a Case You Can Stand Behind” to explain how to give prosecutors what they need in a program for the [Justice Clearinghouse](#) Webinar Series.

**July 18 – Kansas City, Mo. (online):** BestyBnB will host a [webinar](#) on “Safety Planning with Survivors of Domestic Violence and Their Pets.”

**July 18 – Baltimore, Md.:** Judge Lee Chitwood will present “Connecting ‘How’ to ‘Why’: Using Judicial Leadership to Address the LINK Between Animal Maltreatment and Domestic Violence” at the National Council of Juvenile & Family Court Judges’ [86<sup>th</sup> Annual Conference](#).

**July 19 – (online):** Pennsylvania’s [Keystone Link Coalition](#) will hold its regular monthly meeting.

**July 31 – Aug. 2 – Petersburg, Va.:** Randy Lockwood and Michelle Welch will be among several presenters on The Link at the [Small & Rural Law Enforcement Executives Association](#) conference and training event.

**Aug. 1-2 – Franklin, Tenn.:** Michelle Welch will present “Be the Superhero for Animals: How to Testify Effectively in Animal Cruelty Cases and How to Prepare Winning Prosecution Cases” at the Animal Care & Control Association of Tennessee [Conference](#).

**Aug. 2 – Abuja, Nigeria (online):** Phil Arkow will present on “The Dark Side of the Human-Animal Bond” at the 2023 [Dogalov](#) Animal Assisted Interventions and Assistance Animals Conference for Africa.

**Aug. 16 – (online):** Pennsylvania’s [Keystone Link Coalition](#) will hold its regular monthly meeting.

**Aug. 24 (online):** Linda Fielder of the Animal Legal Defense Fund will present “Lessons from the Field: How One Community Transformed Its Response to Animal Cruelty through Collaboration” for the [Justice Clearinghouse](#) Webinar Series.

**Aug. 28-30 – Boston, Mass.:** Phil Arkow will present “Animal Abuse, Animal Hoarding and Elder Abuse: Challenges and Strategies for Adult Protective Services” at the 34<sup>th</sup> [Annual National Adult Protective Services Association](#) conference.

**Sept. 5 – Des Moines, Iowa:** Phil Arkow and Randy Lockwood will present at a Link training organized by the [Animal Rescue League of Iowa](#).

**Sept. 11-15 – Grand Ronde, Ore.:** Deputy District Attorney Jake Kamins will offer training on how to prepare for prosecuting animal cruelty cases among speakers at the 2023 Oregon Animal Control Council [Annual Training Conference](#) & Awards Banquet.

**Sept. 18-19 – Albuquerque, N. Mex.:** [Positive Links NM](#) will hold its Conference on The Link.

**Sept. 20 – (online):** Pennsylvania’s [Keystone Link Coalition](#) will hold its regular monthly meeting.

**Sept. 20 – Colorado Springs, Colo.:** Nicole Lopez will describe the Family Justice Center PorchLight Program partnership with the Jefferson County Animal Shelter to help domestic violence survivors and their animals at the [Animal Welfare Association of Colorado](#)’s 2023 Conference.

**Oct. 2-3 – Washington, D.C.:** The National Council of Juvenile & Family Court Judges and the Animal Legal Defense Fund will present the [Judicial Institute](#) on the Human-Animal Bond and the LINK Between Animal Cruelty and Interpersonal Violence: Issues in Family Law Cases.

**Oct. 3-4 – Des Moines, Iowa:** Maya Gupta will lead an ASPCA training on domestic violence and animal cruelty investigations and prosecutions for the [Animal Rescue League of Iowa](#).

**Oct. 4 – Ft. Worth, Texas:** Phil Arkow will present “Child Abuse Prevention and the Animal Abuse/Human Violence Link” for the [Alliance for Children](#).

**Oct. 18 – (online):** Pennsylvania’s [Keystone Link Coalition](#) will hold its regular monthly meeting.

**Oct. 25-27 – Milwaukee, Wis.:** The [Association of Prosecuting Attorneys](#) and the [Animal Legal Defense Fund](#) will hold the 12<sup>th</sup> Annual National Animal Cruelty Prosecution Conference.



**Oct. 25-27 – Springfield, Mo.:** “The Link between Domestic Abuse and Animal Cruelty” will be presented at the [Missouri Animal Control Association](#)’s Annual Conference.

**Nov. 14 – (online):** Kathleen Wood and Katherine Youssouf of the Animal Legal Defense Fund will present “The Importance of Pre-Sentence Evaluation in Animal Cruelty Cases” in a [Justice Clearinghouse](#) webinar.

**Nov. 15 – (online):** Pennsylvania’s [Keystone Link Coalition](#) will hold its regular monthly meeting.

**Nov. 28 – (online):** Andrew Campbell will present a webinar on the impact of animal abuse in family violence for the [Justice Clearinghouse](#).



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



## ABOUT THE NATIONAL LINK COALITION



The National Link Coalition is a multidisciplinary 501c3 nonprofit 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.

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