

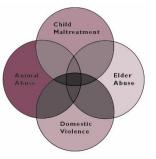
NATIONAL LINK COALITION

Working together to stop violence against people and animals

The LINK-Letter Vol. 16, No.7 July 2023

A monthly report of news from THE NATIONAL RESOURCE CENTER

f ON THE LINK BETWEEN ANIMAL ABUSE AND HUMAN VIOLENCE www.NationalLinkCoalition.org Phil Arkow, Coordinator and Editor



DOMESTIC VIOLENCE... and THE LINK Delaware Enacts Landmark Pet Protection, Divorce and Cross-Reporting Laws

The State of Delaware has enacted three laws that represent a comprehensive approach to advancing The Link between animal abuse and human violence in domestic disputes and cross-reporting *(See the April 2023 LINK-Letter)*. On June 27, Gov. John Carney signed into law:

• SB 70, which adds pets to domestic violence protection-from-abuse orders and allows courts to award custody of pets as part of the relief. It also adds engaging in cruelty to or inflicting or attempting to inflict physical injury to a companion animal to the definition of abuse. The measure makes Delaware the 39th state with Pet Protection orders and the 13th state where coercive-control animal abuse is also defined as domestic violence.

• HB 95 allows courts to award possession of pets in a divorce settlement property division. The Court can take into consideration the well-being of the companion animal. Delaware becomes the 7th state with similar "pets' best interests" provisions.

• SB 71 requires law enforcement, the Department of Justice, and the Department of Family Services to cross-report animal abuse during a child welfare investigation. A person who in good faith participates in making a report of suspected animal cruelty will have immunity from any civil or criminal liability.



Jennifer Ranji, left, Capitol Police Officer Donna DiClemente, and therapy dog "Vinn" who assists during child abuse case interviews

The bills grew out of an Animal Welfare and Family Law seminar organized last year by Family Court Judge Jennifer B. Ranji and attended by representatives from the National Link Coalition and other national groups working to advance The Link. Ranji once headed the Delaware agency that conducts child abuse and neglect investigations, and after she became a judge she began noticing a "crossover Link" between abuse of spouses, children, and family pets. With the passage of these laws, Ranji said she can even foresee joint operations between child abuse and animal abuse investigators.



Gov. John Carney is flanked by Judge Jennifer Ranji, Sens. Nicole Poore and Stephanie Hansen, and Rep. Krista Griffith at the June 27 signing ceremony.

Such collaborations could "help assess risk and take the risk away for that family,' Ranji told <u>WHYY-FM</u>. "Because if you don't remove the animals in that situation, they're sitting there as a tool to harm the human victims as well."

Ranji noted that in child abuse cases it would often come up as an aside or in a child interview where someone would mention something about their pets. "And it just made total sense to me that there would be this Link because if you have someone who wants to control their partner or is going to do harm to their children, then those are probably people

who have the same propensity to either want to harm animals that aren't doing what they want them to do because they're not in control, or who are going to use animals to hurt the other people that care about the animals. They're being used as a weapon to harm the other adults and children in the home."

Under Delaware law, as in all 50 states, pets are property. "But they're a pretty unique form of property. And so I think this establishes that they are unique and that they have different considerations that should apply," Ranji said.

The judge's initiative and work by groups including the state Domestic Violence Coordinating Council led to the three bills. One co-sponsor, Rep. Krista Griffith (D-Greenville/Hockessin), is a former prosecutor. Under the previous law, "You could have a piece of furniture, or a piece of art, or your grandmother's china set, or your wedding set, whatever, it may be — looked upon the same as a dog, or cat, or rabbit, or whatever animal that is," Griffith said.

"For many people, you can't put a price tag on that favorite dog or cat that you have a special relationship with, where if somebody bought a very expensive automobile in the marriage, you can obviously have a price tag on. But someone might be willing to say, 'I want the dog or cat because I really love them and I don't care so much about the higher-cost item.""

Under the new law, a judge can award ownership to one party, or order shared ownership with a determination about who is responsible for veterinary or other extraordinary expenses. Beyond who can best care for the pet, the judge can consider the "attachment between the companion animal and each of the parties," as well as the "time and effort each party spent" with the animal and tended to its needs during the marriage. Should the animal's circumstances change substantially after the divorce, parties could petition Family Court for "sole ownership" based on the pet's welfare.

Sen. Nicole Poore (D-Bear) was lead sponsor of the bill that lets petitioners in protection-from-abuse proceedings include harmful actions against a pet or service animal. According to Poore, "Our pets are members of our family. All too often, pets can get caught in the middle of family disputes or used as tools of manipulation or abuse," adding that the bill gives "Family Court the authority to treat animal violence as a red flag ... and keep pets away from abusers."

Sen. Stephanie Hansen (D-Middletown) was lead sponsor of the mandatory reporting bill. "Injuring an animal is often a precursor to violence against a child, spouse, or intimate partner," Hansen said. "Social workers and caseworkers can play key roles in cross-reporting animal abuse and human violence."

Exclusion of Domestic Violence Victims in Pet Insurance Policies Called "Double Jeopardy" that Re-Victimizes Survivors

With considerable documentation that companion animal abuse arises in interspecies households where domestic violence and abuse takes place, three British researchers have examined what they call "double jeopardy" whereby human and animal survivors of domestic violence are also subjected to insurance discrimination impacting their ability to seek safety.



Di Turgoose, left, and Ruth McKie

Di Turgoose, Ruth McKie and Paris Connelly write that UK pet insurance policies often exclude survivors of interspecies violence based, in part, on gender bias, victim-blaming and outmoded thinking that domestic violence is only physical injury.

Almost 50% of interspecies households in the UK have pet insurance policies. The authors surveyed all 26 companies in the UK that issue pet insurance policies. They identified six areas of exclusion clauses that may indirectly lead to a form of insurance discrimination against victims of domestic violence and abuse and can directly or indirectly affect the companion animal and human victim:

- Hospital admissions;
- Physical harm and injury;
- Emotional disorders and poor socialization;
- Time between injury or the onset of illness and uptake of treatment;
- Registration at a home address or domestic violence victim; and
- Legal action or payment to family or others to compensate for damages caused to property.

"Our data indicate that exclusion criteria are largely focused on physical violence which is perhaps unsurprising given criminal justice system practices largely center on seeking evidence via quantifying physical harm and injury to domestic violence victims as opposed to non-physical harm of domestic violence," they write.



They expand on earlier research by Tania Signal and others in Australia that revealed that companion animals harmed via non-accidental injury in a household where there is domestic violence often culminates in non-payout of an insurance policy claim. The research revealed exclusionary clauses in policies for women and companion animals within domestic violence relationships. In turn, this serves as a potential form of re-victimization as insurers discriminate against victims by denying, cancelling, excluding, and charging a higher premium for health, life and property insurance through flawed data utilized to conduct actuarial calculations.

Tania Signal

The authors cite several other studies from the U.S. reporting gender bias and discrimination against issuing health insurance policies to women who have been victimized by domestic violence, although those studies did not include the issue of pet insurance. Those policies also serve to re-victimize victims and perpetuates inaccurate myths and stereotypes about victims choosing to be victims. In addition, the knowledge that a victim may not be eligible for insurance may prevent them from leaving an abusive relationship or from reporting it. Non-exclusionary pet insurance could also offer a protective measure to support companion animals belonging to domestic violence victims, they write.

"While pet insurance may function as intended by providing a financial safeguard in the event an animal suffers an accidental injury, the insurance system may not protect victims of interspecies domestic violence and abuse, instead declaring claims made to be null and void, or not insuring in the first instance due to previously having been a victim of domestic violence and abuse, thus penalizing a victim for the harm caused by an abuser toward a companion animal in a DVA scenario."

The authors call for more widespread cross-reporting from other professionals, including veterinarians, to familiarize insurance companies with the non-physical manifestations of coercive control affecting both human and animal victims. "This requires adopting an intersectional awareness of coercive control that includes companion animals and how insurers and others such as veterinarian practitioners can support the broader path to end violence against women and companion animals."

They concluded, "We call for advocates and for feminist researchers to take an intersectional stance inclusive of companion animals to work together to help policy makers understand the ramifications of this problem and together form ways in which the harms caused by such discriminatory practices can be alleviated. Local and national policies designed to support victims can be expanded to acknowledge and prohibit economic abuse which includes companion animals."

-- Turgoose, D., McKie, R.E., & Connelly, P. (2023, May). Insurance discrimination, companion animal harm, and domestic violence and abuse – Double jeopardy in the UK. *Violence Against Women*. DOI: 10.1177/10778012231176201



Study Examines Underutilization and Lack of Data about States' Pet Protection Orders

Pet Protection Orders that allow courts to specifically include companion and/or livestock animals in domestic violence protection-from-abuse orders were initiated in Maine in 2006 and today have been enacted in 38 states plus the District of Columbia. But how effective are they, and how many domestic violence survivors take advantage of this new opportunity?

Those are questions that Mary Lou Randour and her colleagues answered in a new research study. They reviewed state statutes and websites and interviewed court administrators who often cited numerous impediments to being able to provide any data.

Mary Lou Randour They reported that:

- 29 states have a specific item that includes pets on the form for a temporary order.
- 22 states have a specific item that includes pets on the form for a final order.
- Only one state New York keeps track of the number of PPOs that have been issued. In 2007, the first year these were available, New York courts included pets in 197 temporary and 32 final orders; by 2020 these figures had increased to 5,893 and 1,949, respectively.
- Even in New York, PPOs appear to be under-utilized by victims. The findings about the percentage of petitioners who also seek protection for their pets does not correspond to research that assesses the percentage of women who report that their pets had been threatened or killed, and/or who reported they delayed leaving because they could not find a

safe place for their pet to shelter. While various studies report anywhere from 25% to 89% of victims report harm or threats to their pets, only 2.4% of New York protection orders included pets.

• Several national agencies, including the National Center for State Courts and the National Domestic Violence Registry, compile databases of domestic violence cases but it is not possible to determine the number of PPOs from these sources.

The study noted that while evaluating the effectiveness of protection orders is challenging for many reasons, including a lack of consistent language of states' protection and restraining orders, they can serve a useful role in threat management.

"The findings illustrate that, in general, it is not easy for independent researchers to obtain information about the number of temporary and final restraining orders that have been granted which also cover a pet or animal," they wrote, a finding that is consistent with the National Link Coalition's experience. (EDITOR'S NOTE: The only such figures we have been able to obtain are from Minnesota from 2010-2013. See the January 2014 LINK-Letter).

The authors recommended that the optimum solution would be for states to organize their data on the issuance of petition for pet protection orders and final pet protection orders in the same manner as New York.

"The reason for the divergence in the research findings and the actual number of pet protection orders that are issued needs to be explored. Further research could examine whether or not the potential clients in New York State are aware of the possibility of including their pets in petitions for protection orders. Other possible reasons for not taking advantage of pet protection orders also need to be identified and addressed, for example, a lack of faith in the criminal justice system, the relative lack of knowledge on the part of lawyers and advocates of the importance of the human-animal bond," they concluded. "In order to track the success of the legislation, the development of a data system which tracks the issuance of restraining orders in general and those with pet protection is critical."

-- Randour, M.L., González, D., Schurr, E.M., & Conforti, S. (2023, June 6). Pet protection orders for domestic violence survivors: Are they being used? *Violence Against Women*, https://doi.org/10.1177/10778012231176197

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For Additional Information

Just click on the <u>blue underlined hyperlinks</u> in these articles and it will take you to other websites with additional information about that topic.

CHILD MALTREATMENT... and THE LINK 3 Child Welfare Agency Staff Charged for Failing to Rescue Children from Feces-filled Residences

Five staff in the Lackawanna County, Pa. Office of Youth and Family Services were charged criminally on June 27 for reportedly failing to address the welfare of at least one case of children in deplorable homes filled with animal feces. The arrests came as part of a bitter dispute as to whether the OYFS, whose state license has been downgraded, is sufficiently responsive to all atrisk children, including at least three incidents where police had to rescue



children after animal welfare representatives responded to concerns about animals and hoarding.

The <u>Scranton *Times-Tribune*</u> reported on the ongoing feud, in which OYFS Director William Browning blasted Scranton police for conducting "ethically challenged and legally questionable" investigations he says led to an exodus of staff that's left children at risk. Scranton Mayor Paige Gebhardt Cognetti defended the Police Department, saying it takes as sacred its duty to protect children and urged OYFS to take steps to rectify issues that led to the license downgrade. District Attorney Mark Powell, who has worked closely with city police on several ongoing investigations into the agency, added, "The staff and supervisors at OYFS have a duty and responsibility to protect endangered children. When they subject children to needless injury, they will be held accountable."

Detectives served search warrants on the OYFS office last Nov. 2 seeking records abut three children whose mother had died. Investigators said the children had no clean clothes or food and the apartment was filled with animal feces. Police served searched again on Dec. 14 related to OYFS's interactions with a woman whose two children were living in an animal feces and garbage-filled apartment, and two women who were also living with three children in an animal feces-filled apartment.

Browning described the Police Department's investigations as being biased against people of color, focused on "dirty houses" located in poor neighborhoods. He noted that no children were injured, criticized police for using a heavy-handed approach with caseworkers, and faulted authorities for not considering steps the agency takes to rectify issues.

Child Welfare and Domestic Violence Professionals Sought for Child Abuse Research Focus Groups



Katharine Wenocur, left, & Kirby Wykoff

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 Wycoff 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 two Zoom videoconference sessions are scheduled for:

• **Tuesday, July 25**, 12 noon-1 pm EDT for **domestic violence advocates.** Participants must be working in a direct service role with domestic violence survivors and their families and have encountered at least one example of a child harming an animal in their professional capacity.

• Wednesday, July 26, 12 noon – 1 pm EDT for child welfare professionals who have encountered at least one example of a child harming an animal in their professional capacity.

To participate, please contact <u>Katharine.Wenocur@jefferson.edu</u>. Please forward this information to additional colleagues who meet the criteria for the study.

VETERINARY MEDICINE... and THE LINK Minnesota Board Takes Proactive Stand to Protect Animals and Humans from Harm

BOARD OF VETERINARY MEDICINE

The Minnesota Board of Veterinary Medicine has issued a

reminder to practitioners, who have long been required to repost suspected cruelty to companion animals to law enforcement or humane agents, that frontline veterinarians and their staffs need to recognize potential signs of animal cruelty and take action to protect animals and the public.

The Summer 2023 issue of the Board's <u>BVM Bits newsletter</u> contains an article, "Frontline Veterinarians Can Do More than Reporting Suspected Animal Cruelty: Proactive Education of Staff and Clients to Prevent Animal Abuse and Human Harm." Noting that Minnesota veterinarians have civil immunity for reporting suspected abuse and that failure to report inhumane treatment to animals is considered unprofessional conduct, the article adds, "Family members may also be showing signs of abuse or neglect. The rise in domestic violence and mass shootings make this increasingly important as animal abuse is linked to both, either concurrently or in the perpetrator's past."

The National Link Coalition provided information and insights to help inform the article, which also included information from Link advocates Julie Palais, Ann Olson, and Martha Smith-Blackmore. <u>Animal Folks of Minnesota</u> has also published an extensive manual for veterinarians, available on our website, on how to recognize and respond to suspected animal cruelty, abuse and neglect.

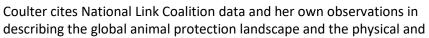
Ukraine Study Outlines Stages in Veterinary Forensic Examinations

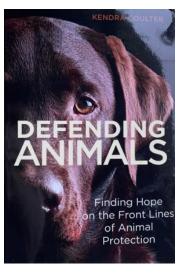
A new research study from Ukraine describes in detail the methods, means, and methodology of conducting a forensic veterinary examination. Ivan Yatsenko, Professor at the National Scientific Center Institute of Forensic Expertise in Kharkiv, writes that this process consists of four stages: preparatory, analytical, comparative and synthesis. He reported that the sequence of applying the four stages of the forensic veterinary examination of a live animal contributes to a correct assessment of the detected signs of injury or health disorder of the animal, traces the process of conducting the examination, and evaluates the results for the justified forensic veterinary diagnosis and expert's opinion.

-- Yatsenko, I. (2023). Theoretical justification and praxeological significance of the stages of expert research of a living animal. *Law. Human. Environment*, 14(1), 107-131. doi: 10.31548/law/1.2023.107.

LAW ENFORCEMENT ... and THE LINK Collaborations Protect People and Animals in Animal Cruelty "Real-Life Horror Shows"

Canadian researcher Kendra Coulter has continued her deep dive into the complexities of animal and human violence with her new book, *Defending Animals: Finding Hope on the Front Lines of Animal Protection.* Focusing on her earlier studies into improving the safety and working conditions of frontline animal care and control officers, she calls for transforming this work into "humane jobs" that respect and protect the people as well as animals involved in emotionally wrenching work that often involves "real-life horror shows."





psychological vulnerabilities of people in homes where animals are abused. She conducted ethnographic interviews with animal cruelty first responders from several nations and Indigenous communities in addressing such Link issues as pets in shelters for the homeless, animal fighting, veterinary forensics, and how prosecutors are recognizing animal cruelty cases with increased intensity.

A chapter on "Linked Harm and Protection" emphasizes how "animal cruelty can be the first visible indicator of antisocial behaviors that may escalate and expand – a red flag for future violent actions. Investigating suspected animal cruelty can provide a window or gateway into other abuse that is already taking place or be the visible tip of a much more toxic and dangerous iceberg."

Emphasizing that not all animal cruelty leads to human violence, she notes that "animal abuse does not occur in a vacuum" and must be considered in the context of other conditions which can best be confronted through a collaborative approach. "The abuse is linked, so protection must be," she writes. "Having more eyes and ears open increases the likelihood of seeing and hearing the truth."

Expanding on her earlier work describing the lack of a unified strategy for enforcing animal cruelty laws as a "patchwork of patchworks" (*See the January 2023 LINK-Letter*), Coulter writes that a Link approach can bring together disparate entities with widely differing philosophies to focus on a common goal of improving human and animal welfare and preventing violence. Even though collaborating partners have differing goals and philosophies, "Coming together around the same table is not going to eradicate fundamental differences, but it can facilitate conversation and greater understanding."

Coulter summarizes her findings with a series of "lessons", including:

- Protecting animals is also about protecting people, and vice versa;
- Establishing a centralized and streamlined process for reporting animal cruelty and dispatching investigators;
- Protecting the physical safety, mental health and work lives of frontline workers in order to protect both humans and animals;
- Creating multi-disciplinary collaborations, since no single agency can do all this work by itself;
- Developing toolkits for police officers that include animal protection to create "smarter" law enforcement;

- Animal protection can, and should, work with other movements to promote equity and justice; and
- "If something important for protecting animals doesn't exist yet, invent it."

"Crimes against animals are not a distraction from community safety; they are integral to it. The effective protection of animals works hand in hand, hand in paw, and hand in hoof with the well-being of frontline workers. Working to defend animals is equally about defending people," she concludes. -- Coulter, K. (2023). Defending Animals: Finding Hope on the Front Lines of Animal Protection. MIT Press.

THE LINK in the LITERATURE Chapter Explores Psychopathy of Animal Cruelty Offenders



Sara Chiara Haden (left), Shelby McDonald, & Wyatt d'Emilia

A chapter in a new book about psychopathy and criminal behavior explores how animal cruelty is strongly related to violence toward humans. The authors describe how animal cruelty offenders include those who intentionally victimize animals by performing malicious acts of abuse

toward animals. The chapter discusses what is known about people who commit animal cruelty and the violence-graduation and deviance-generalization hypotheses of animal cruelty behavior. It reviews legal protections that animals are afforded under state and federal laws. After presenting the epidemiology of offenders, different theories of animal cruelty and their links to psychopathy, are detailed. The last section of the chapter focuses on existing research on the role of psychopathic traits in our understanding of who perpetrates animal cruelty.

-- Haden, S.C., McDonald, S.E., & d'Emilia, W. (2022). Psychopathy and animal cruelty offenders. In P.B. Marques, M. Paulino & L. Alho (Eds.). *Psychopathy and criminal behavior: Current Trends and challenges* (pp. 445-468). Academic Press.



Link Awareness Continues to Grow in Japan

The <u>Animal Literacy Research Institute</u> has recently added two new publications to its extensive Japanese-language materials buse and human violence.

addressing the Link between animal abuse and human violence.

"Applying the LINK to Protecting the Safety of Children: The 'Animal Factor' in the Well-Being of Children" is a PDF booklet that discusses how animal welfare in households become useful indices in assessing the situation of children living with the animal and how to use the LINK to protect the safety of children. "Animals as Barometers of Households: Applying the 'Animal Factor' to Protect Children" is a short free article version of the larger publication.

Sakiko Yamazaki of the Institute will also present a webinar on "The Association between Animal Abuse and Elder Abuse and Why People Abuse Animals: A Social Issue that Calls for Multidisciplinary Attention" on August 6.

BUILDING LINK A WARENESS Special Feature: The Link ("A Ligação") Returns to Portugal

Building on the success of an inaugural Link conference in Lisbon in 2022 (See the July/August 2022 LINK-Letter), Portugal's Provedora do Animal Laurentina Pedroso convened a LINK II Conference on June 2 bringing together some 32 speakers from the U.S., U.K., the Netherlands, Spain, and Portugal. The event, co-sponsored by the Ministry of Agriculture and Food and the Ministry of Environment and Climate Action, attracted over 100 local participants and over 22,000 viewers who saw the presentations livestreamed and on Facebook. The event followed four pre-conference webinars (See the June 2023 LINK-Letter) that collectively attracted more than 10,000 Facebook hits.



Laurentina Pedroso, a veterinarian who serves under both Ministries as the nation's ombudswoman for animal protection, designed the events to motivate legislators and other government

officials to enact laws addressing "reporte-cruzado" -- the cross-reporting of animal abuse and other family violence. "We cannot continue to accept abuse as correct," she told participants in describing The Link as a One Health/One Welfare issue. "Reporting animal abuse may not only save one life but may save two lives." In calling for a national Link initiative, she said, "I believe I live in a country where most people love people and love animals. It will be society as a whole that will drive policies that protect both. A world that treats people and animals better is a world in which we want to live and

sends a message to our children about kindness and compassion."



Phil Arkow

National Link Coalition President & Secretary Phil Arkow kicked off the conference with a keynote address describing how raising awareness of The Link in the U.S. over the past 30 years has resulted in the passage of significant numbers of new laws. He described how legislators at all levels face multiple challenges in addressing animal welfare concerns, including: the widespread perception that animals are less important than people; six different organizational philosophies regarding how humans and animals interact; and 10 different personal belief

systems about animals. Faced with these inherent conflicts, the most pragmatic approach is to focus on how animal abuse hurts people as well. This Link-based approach has resulted in dramatic improvements in laws addressing bestiality, cross-reporting, including pets in domestic violence protection orders and divorce settlements, and making animal cruelty offenses felonies. "We're doing this in the U.S., and Portugal can do it too," he concluded.

Duarte Cordeiro, Portugal's Minister of Environment and Climate Action, noted that 85% of Portuguese households consider pets to be members of their family. Describing "a clear-cut Link between animal abuse and intimate partner violence," Cordeiro said he wants to create an integrated response to domestic violence that could include pet-friendly domestic violence shelters, cross-reporting, a registry of convicted animal abusers, and veterinary reporting of suspected animal abuse.



Duarte Cordeiro



Raul Farias

the ant in the middle of the room," the Constitutional Court has been divided on whether those or other species are covered under the law. Consequently, trying to Link an incident of animal abuse with other violence could delay prosecutions. Nevertheless, he hoped that the matter will be resolved quickly so all victims can get justice. Portugal's national Public Prosecutor Miguel Carmo expressed concern about

how the public normalizes violence as a way of solving problems and called violence against an animal "a huge red flag that there is violence in a household." He called animal abuse a way to "psychologically abuse a human victim" but unfortunately not all police officers are aware of this Link. On a positive note, he said that while many people distrust the police, their concern for their animals' welfare can serve to reduce their ambivalence about trusting the authorities. In



Miguel Carmo

describing how the psychological damages of domestic violence may not be as visible as the physical bruises, he concluded, "We cannot keep losing this war because violence cannot be normalized."



Martha Smith-Blackmore

Forensic veterinarian Martha Smith-Blackmore described the evolution of veterinary reporting of suspected animal abuse in Massachusetts from none, to permitted reporting, and finally to mandated reporting in the wake of the seminal "Puppy Doe" case. Public outcry demanded a change, and mandatory reporting has increased the number of reports and made decisions about reporting easier for practitioners. "The tension over confidentiality and clients' interests dissipates with mandatory reporting. It's absolutely liberating.

Raul Farias, Magistrate of the Public Prosecutor's Office, described the challenges of addressing animal welfare under Portugal's Constitution where the definition of pet does not include all possible species. Calling the issue "the elephant and

The veterinarian has no quandary, the decision-making is removed and it preserves the veterinarian's mental health," she said. In addition, "Society has an expectation that veterinarians will be the voice of animals." For a client living under domestic violence fear, the act of seeing a veterinarian may be a monumental step toward self-confidence. "It may be an unspoken message of desperation. The client may feel imprisoned by her circumstances and hopes the veterinarian will make a report that she is afraid to make herself." Rather than focusing on One Health or One Welfare, Smith-Blackmore prefers the term "One Safety." "We can't have safe communities without safe people, safe animals and safe families. I'm hoping that veterinarians' reports have created a safer community. We veterinarians are also public safety officers," she concluded.

Allie Phillips, a "recovering" prosecutor and Founder & President of Sheltering Animals and Families Together (SAF-T)®, described American experiences of introducing The Link into prosecutions. When prosecutors understand that cruelty to animals can be the biggest predictor of future violence it can result in additional investigations that result in additional charges, she said. Information about animal abuse can help show a pattern of criminal history, corroborate other evidence to convict a defendant, and add sentencing enhancements particularly if children were exposed to the animal abuse. "When we know everything about what goes on in the home it informs the



Allie Phillips

judge and the jury," she said. Phillips also described TASK – Therapy Animals Supporting Kids – that she created that brings therapy animals into courtrooms to help abused children testify. "When a victim feels comfortable they feel confident in sharing their story and that's when justice occurs."

Professor and clinical psychologist Marie-José Enders described a timeline of raising public and multi-disciplinary professional awareness of The Link in the Netherlands. These activities have resulted in additional research, more foster care for pets of domestic violence victims, interdisciplinary collaborations to better identify issues affecting families in trouble, veterinary forensic work, and special Link training for police officers. "Developing care systems for victims and their animals has been a long road but now we have a beautiful system where people and animals can be sheltered together," she said.



Marie-José Enders



Mary Tjalkens, a Dutch probation officer who has also been a veterinary assistant and a social worker, described several administrative and criminal laws in the Netherlands by which offenders can be banned from owning animals. She traced the history of a national animal welfare working group whose mission focuses on both human and animal safety. A result of this collaboration has been to include animal welfare in the training of Dutch probation officers and to make discussing the subject of animal abuse "less embarrassing" for them to discuss.

Mary Tjalkens

Animal Welfare Institute state government affairs representative Vicki Deisner described the Link-based process by which Ohio's landmark cross-reporting bill, HB 33, was enacted (See the January 2021 LINK-Letter). Deisner said the bill was passed "based on the fact that reporting leads to safety and stability" and by offering reporters immunity from civil and criminal liability. "Ohio already had pet protection orders, bestiality and felony cruelty laws; now we needed cross-reporting because animal abuse needs to be enforced to utilize these tools." Partnerships have developed with social work, court advocates and domestic violence agencies. "It's a wonderful collaborative experience because you've got human and humane services working together," she noted. Between the new law and the impact of the pandemic, during which domestic violence



Vicki Deisner

fatalities and animal shelter intakes increased dramatically, Link training has been institutionalized for all new recruits in Ohio's child and adult protection agency based on the key that animal abuse is a red flag for possible escalation of family violence. "If you save a pet you save a family," Deisner concluded.



A roundtable discussion spotlighted the impressions of eight high-level national agencies regarding mandatory reporting of animal abuse and welfare checks on children and the elderly. The theme of the roundtable was to share information and develop collaborations among these institutions, which included: the National Republican Guard; the Public Safety Police; the National Commission

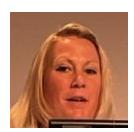
for the Promotion of Rights and Protection of Children and Youth; the Director General of Food and Veterinary Services; the Institute for Nature Conservation and Forests; the Order of Veterinarians; the National Institute of Agrarian and Veterinary Investigation; and the National Council of Psychologists. "Regardless of the Constitutional Court issues we need to continue acting, not just on the complaints but also cooperating with each other," said Public Safety Police Superintendent David Marcon Pereira, encapsulating what all of the participants expressed. "We are moving forward and we have evolved a lot in recent years due to the public's concern for pets."



Allie Phillips

The afternoon sessions began with a focus on co-sheltering and fostering pets of domestic violence survivors to help preserve the human-animal bond and remove a key barrier to survivors' safety. Allie Phillips returned to describe the SAF-T program and her <u>Start-Up Manual</u> which has helped over 300 shelters worldwide to accommodate pets, with photos of several different models in the U.S., Canada and the Netherlands. "I see SAF-T as a solution to Link crimes," she said. "If we can get the two- and four-legged members of the family out it helps everyone."

The U.K.'s 2021 Domestic Abuse Act for the first time included animals in domestic violence legislation and in the definition of coercive control, said Mary Wakeham, CEO of the U.K.'s Refuge4Pets. She described her research into the types of animals abused and the impact of animal abuse in domestic violence situations. "It's more than a Link; it's a specific strategy of coercive control," she said. "It's about punishment, jealousy and complying obedience." With few shelters in the UK accepting pets, Refuge4Pets is one of four agencies coordinating foster homes for these animals and has helped 560 families to



Mary Wakeham

escape by fostering 768 animals. "Survivors carry a huge sense of shame and blame about their animals," she added. "They feel they should have done a better job of protecting them."



Rianne Haaijima, Director of Mendoo, described her organization's co-sheltering work in the Netherlands where 41% of women defer leaving an abusive relationship for fear of what would happen to their animals. She began a pet fostering program in 2014 and today there are 11 pet-friendly shelters in the country. Mendoo – a Dutch acronym for "humans and animals together toward recovery" – has a staff of six who provide a helpline, a network of foster families, pet transport, behavioral health and veterinary support services, and also focuses

Rianne Haaijima pet tran on policy change and training.

Núria Querol described how she started Spain's domestic violence Link program VioPet in 2013. She noted how growing Link awareness prompted the Spanish government in March to expand the crime of aggravated animal cruelty in the presence of a child to also include in the presence of a vulnerable person or to impart coercive control. Another new Spanish law grants women's shelters the ability to allow animals access. Spain's civil code now also lets judges award custody of pets in divorce settlements in the animals' best interests.



Nuria Querol

Online Link Training Courses Offered

Canadian Link trainer Teena Stoddart has announced that she is now offering five online courses that provide basic Link training. Each course is designed to meets the needs and interests of a specific professional sector: police; victim services; animal welfare professionals; veterinarians and their staffs; and multi-sector. The courses offer a certificate of completion from <u>Violence Link</u> <u>Consulting</u> demonstrating understanding of the violence Link and its intervention and prevention concepts.



Teena Stoddart

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, 129 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 and was sent to the Assembly Public Safety Committee.

Colorado HB 23-1107 will continue to allocate annual funding 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 was set to expire in 2027.) The bill was signed into law on May 25.



HOORAY!!



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, including: each party's ability to care for it; their attachment to it; and the time spent during the marriage tending to its needs. It was signed into law on June 27.

Delaware SB 70 adds 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 provides 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. It was signed into law on June 27.





Illinois SB 44, SB 1390 and HB 1404 would have amended 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 were in committee when the General Assembly adjourned.



Indiana SB 41 would have increased 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. It died **when the General Assembly adjourned.**



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 have modified 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 died in committee when the Legislature adjourned.

Nebraska LB 11 would have allowed 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 was in the Judiciary Committee when the Legislature adjourned.

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 have expanded 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 House Committee on Criminal

Justice and Public Safety declared it "inexpedient to legislate".



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 nonresidential 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 was approved by the House and sent to the Senate.

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 was approved by the House and sent to the Senate.



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 were being held for further study.

Tennessee SB 568 and HB 467 would have allowed 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. Both bills died in the House when the General Assembly adjourned.

Texas HB 1179 would have required 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 but died in the Senate when the Legislature adjourned.



Texas HB 4336 would have deleted the provision permitting courts to prohibit respondents in domestic violence protection orders from possessing firearms. HB 3996 and SB 1274 would have allowed courts to prohibit alleged offenders from possessing firearms and ammunition,

unless they are peace officers or members of the military. Respondents would have been 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 died when the Legislature adjourned.

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 passed the House of Commons and had its 1st 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 Abuse and Abuse of the Elderly, Disabled and Vulnerable

Nevada AB 254 would have expanded 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 was in the Assembly Judiciary Committee when the Legislature adjourned.

Animal Sexual Abuse

Connecticut HB 5851 would have defined "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 was in the Joint Committee on the Judiciary when the General Assembly adjourned.

Connecticut HB 6714 defines "sexual contact with an animal" and a new misdemeanor crime of "sexual assault of an animal" which includes sexual contact and creating or distributing photographic images of sexual contact with an animal. Law enforcement and animal control officers can now 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 was signed into law on June 15.



HOORAY!

HOORAY!

Kansas HB 2355 would have removed 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 died when the Legislature adjourned.

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 became 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.

Cross-Reporting

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Connecticut HB 6714 requires veterinarians to report reasonable suspicions that an animal has been harmed, neglected or treated cruelly due to participation in animal fighting to the local law enforcement agency or animal control officer. Veterinarians who make such reports in good faith are immune from civil liability. **HB 6714 was signed into law on June 15.**



Connecticut SB 53 would have required 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," died in committee when the General Assembly adjourned.



Delaware SB 71 requires 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 also provides immunity to people who in good faith report suspected animal cruelty. **The bill was signed into**



law on June 27.

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 and were in the Senate State Government Committee when the Legislature adjourned.

Maryland HB 1192 would have required 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 have been allowed to seize the animals if necessary to protect them. The bill died in the House Judiciary Committee when the General Assembly adjourned.

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. <u>The bills</u> are in the Senate Judiciary & Public Safety and House Public Safety & Finance Committees for the 2024 legislative session.

Missouri SB 91 would have required 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 have included veterinarians among the mandated reporters. They would have been 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 have been 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 failed to make a report would have been subject to discipline by his or her professional licensing board, as well as a fine. The bills were in committee when the Legislature adjourned.

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 Jersey A 4936 would 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 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.

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 have allowed child vulnerable witnesses to be accompanied by a certified critical incident response therapy K9 team during any criminal proceeding. The bill was in the Senate Judiciary Committee when the Legislature adjourned.

Kentucky HB 321 would have made animal abuse a Class D felony if the act is committed in the presence of a minor child. The bill died when the Legislature adjourned.

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 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 have allowed therapy or facility dogs to accompany a child or a person with a disability during testimony in certain criminal cases. The bills died when the Legislature adjourned.

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, res cued 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 and was sent to the Senate Public Safety 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 have authorized 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 was in the Senate Judiciary Committee when the Legislature adjourned.



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 became effective July 1.



Court-Appointed Advocates for Animals

Connecticut HB 6260 and SB 1060 would have expanded 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 died in committee when the General Assembly adjourned.

Connecticut HB 5579 would have amended and clarified the pioneering "Desmond's Law" by allowing a judge to appoint an advocate in egregious animal abuse cases regardless of the species of animal involved. The bill died in committee when the General Assembly adjourned.

Florida HB 989 and SB 1006 would have authorized 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 died in their Judiciary Committees when the Legislature adjourned.



Illinois HB 1169 would have amended 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 was in committee when the General Assembly

adjourned.



Michigan SB 248 would expand the age limit for which a witness may be accompanied in court by a support animal from 16 to 18. The bill passed the Senate and is in the House Judiciary 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 for the 2024 legislative session.



Missouri SB 382 would have allowed children or vulnerable persons testifying in judicial proceedings to be accompanied by a certified therapeutic dog. The bill was in committee when the Legislature adjourned.



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 have authorized 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 died in the Senate Judiciary Committee when the Legislature adjourned.



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 and A 7303 would add animal fighting as a criminal act when referring to enterprise corruption. The bills are in the Senate and House Codes Committees.

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 Detroit Man Gets 5-15 Years for Stalking and Killing Ex-Girlfriend's Dog



A Detroit man who was charged with four counts of home invasion, larceny, stalking, and first-degree killing or torturing of animals in a case where the Michigan Attorney General used the state's new domestic violence/animal abuse Link law (See the February 2023 LINK-Letter) was sentenced to 5 to 15 years in prison. Julius Holley, 55, pled guilty to one count of first-degree animal torture. WILX-TV reported that Holley filmed himself torturing his ex-girlfriend's the Yorkshire terrier mix, and sent the video

Julius Holley

to her, after a series of stalking incidents. Holley had a history of violence against multiple women dating back to 1992, including convictions for criminal sexual conduct and domestic violence, Attorney General Dana Nessel said. "Animal abuse often goes hand-in-hand with domestic abuse and other crimes and Michigan Humane provides support to pet owners who are victims of domestic violence and may be reluctant to leave their abuser if it means leaving their pet behind," said Nessel. "The victims in this case can rest assured knowing society is being protected from this defendant's abuse."

Under the 2019 Michigan law, a person who tortures or kills a pet intending to cause mental suffering or distress to another person or exert control over another person is guilty of a felony punishable by up to 10 years in prison.



Jacob Trudell

Oregon Man Charged with Child and Animal Sex Abuse

Jacob John Trudell, 32, of Redmond, Ore., was arrested in Eagle, Idaho and was being extradited back to Oregon to face 26 charges of possessing child sexual abuse materials and committing animal sexual abuse in a case that stretched all the way to North Carolina. The Central Oregon Daily News reported that police received multiple tips from the International Crimes Against Children Task Force Program in July 2022 that someone in Central Oregon was in possession of child sexual abuse material and animal sexual abuse material on a cloud storage account. Detectives allegedly

determined it was Trudell's account. Police allege that evidence was found of Trudell sexually assaulting a dog at a residence in Bend, Ore., as well as evidence of past sexual abuse of a minor. Police in Bend worked with police in Charlotte, N. Car., to identify children in multiple images allegedly on Trudell's devices. A Charlotte man was arrested on charges associated with those images. Trudell was indicted by a grand jury on 23 counts of encouraging child sex abuse, two counts of sexual assault of an animal and one count of encouraging sexual assault of an animal.



James Brown

Man Charged with Attempted Murder and Killing Dog

James Alexander Brown, 39, of St. Thomas, Ont., who has a history of property and violent crimes including 61 convictions since 2001, was charged with attempting to murder a 24-year-old woman and killing a dog. Police investigators processing the crime scene area found the dog had died from gunshot wounds, as determined by forensic veterinarians. <u>CTV News</u> reported that the shootings occurred in broad daylight at a downtown apartment building. Brown was also charged with illegal weapons possession.

Seven Children, 24 Rats and Other Pets Removed from "Deplorable" Conditions



Crystal and Shane Robertson

A Bucks County, Pa. couple were each charged with seven felony counts of endangering the welfare of their seven children after authorities found the unschooled, malnourished youngsters in "deplorable" conditions in a trailer with two dozen caged rats, other pets and a padlocked refrigerator. The <u>Bucks County Herald</u> reported that Shane William Robertson, 43, and Crystal Robertson, 37, of West Rockhill, Pa., were charged following an investigation during which

the parents said the six girls and one boy, ranging in age from 4 to 16, had been taking food from the refrigerator, prompting the padlock. Bucks County Children and Youth Services initiated the investigation after a neighbor reported the children entering an abandoned trailer. Officials said the trailer, which had feces on the floor and insects, was "unsanitary and essentially unsafe" conditions. Medical evaluations found the children to be "clinically underweight", and two children had to have their heads shaved due to severe matting. Several children are said to need extensive dental care and corrective eye care. Interviewers said the children were placed in foster care and with family members. There was no word on the disposition of the rats, dogs, turtles, snakes, toads, and a four-foot reptile.

Man Charged with Killing Daughter Strangled a Cat as a Child

A Bronx, N.Y. man who was arrested for allegedly killing his 3-month-old daughter and dumping her body in a pile of trash near Yankee Stadium reportedly had suffered from extensive and severe mental disorders that included killing animals as a child. The <u>New York *Daily News*</u> reported that when Damion Comager, now 23, was 10 years old and living in Houston, he was spotted strangling a cat and then dumping its lifeless body on the ground, according to his mother. Comager is said to have suffered from bipolar disorder and schizophrenia since adolescence and had



Damion Comager

been taking medication to curb his antisocial behavior until he moved out of his father's house in Louisiana at age 17. Comager was said to have had difficulties trying to raise the infant while he was unemployed and homeless in a transitional shelter. The girl's mother, Ivana Paolozzi, was later charged with helping him to hide the baby's corpse.

Man Gets Probation for Burying Father's Dog Alive, Domestic Violence



A Clearwater, Fla. man who had been charged with animal cruelty for burying his father's dog alive and domestic violence for then punching his father in the nose was convicted. Tyler Crevasse, 33, was <u>reportedly laughing</u> when he admitted to killing the 18-year-old poodle mix named "Fuzzy" by wrapping it in a wet towel and burying it where another dog had already dug a hole in the ground. Crevasse was sentenced to 180 days incarceration, with 15 days served, but was allowed an alternative sentence of 36 months of probation for the animal cruelty and 12 months of

Tyler Crevasse

probation for the domestic violence. "Domestic violence and cruelty to animals are often linked. The 'cycle of violence' has no boundaries. A cruel or explosive individual has the propensity to be volatile to anyone within their grasp," commented Doll Stanley, <u>In Defense of Animals</u>' Justice for Animals Senior Campaigner.

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.

July 11 – Oklahoma City, Okla.: Ruth Steinberger of SpayFirst will discuss The Link at a meeting of the Oklahoma District Attorneys Council.

July 18 – Kansas City, Mo. (online): BestyBnB will host a <u>webinar</u> 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' <u>86th Annual Conference.</u>

July 18 – Toronto, Ont., Canada (online): SafePet Ontario will conduct a <u>webinar</u> for caseworkers and law enforcement personnel in Northern Ontario to discuss their planned expansion of domestic violence pet fostering programs into the northern part of the vase province.

July 19 – (online): Pennsylvania's Keystone Link Coalition will hold its regular monthly meeting.

July 19 (online): Laura Wauthier of Scotland's Animal Guardians will conduct a <u>webinar</u> on "The Role of Attachment in Children's Relationships with Pets: From Pet Care to Animal Harm" for the American Psychological Association's Human-Animal Interaction Division.

July 31 – Aug. 2 – Petersburg, Va.: Randy Lockwood and Michelle Welch will be among several presenters on The Link at the <u>Small & Rural Law Enforcement Executives Association</u> 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 <u>Conference</u>.

Aug. 2 – Abuja, Nigeria (online): Phil Arkow will present on "The Dark Side of the Human-Animal Bond" at the 3rd Annual <u>Human-Animal Interactions in Africa conference</u>.

Aug. 6 – Tokyo, Japan (online): Sakiko Yamazaki of the <u>Animal Literacy Research Institute</u> will present a webinar on "The Association between Animal Abuse and Elder Abuse and Why People Abuse Animals: A Social Issue that Calls for Multidisciplinary Attention."

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 <u>Justice</u> <u>Clearinghouse</u> Webinar Series.

Aug. 28 – Boston, Mass.: Phil Arkow will present "APS Strategies: Addressing Animal Abuse, Hoarding and Elder Abuse Challenges" at the 34th <u>Annual National Adult Protective Services Association</u> conference.

Sept. 5 – Des Moines, Iowa: Phil Arkow will present at a Link training organized by the <u>Animal Rescue</u> 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 <u>Annual Training Conference</u> & Awards Banquet.

Sept. 18-19 – Albuquerque, N. Mex.: Positive Links NM will hold its Conference on The Link.

Sept. 20 – (online): Pennsylvania's <u>Keystone Link Coalition</u> will conduct a webinar with a panel discussing "Interrupting and Preventing Maltreatment Against Animals and People."

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 <u>Animal Welfare Association of Colorado</u>'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 <u>Judicial Institute</u> 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 <u>Animal Rescue League of Iowa</u>.



Oct. 4 – Ft. Worth, Texas: Phil Arkow will present "Child Abuse Prevention and the Animal Abuse/Human Violence Link" for the <u>Alliance for Children</u>.

Oct. 18 – (online): Pennsylvania's Keystone Link Coalition will hold its regular monthly meeting.

Oct. 20 – St. Louis, Mo. (online): The Missouri Alliance for Animal Legislation will conduct an all-day Safer Together <u>webinar training</u> on the connections between abuse of animals, children, elders, and vulnerable adults.

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

Oct. 25-27 – Springfield, Mo.: "The Link between Domestic Abuse and Animal Cruelty" will be presented at the <u>Missouri Animal Control Association</u>'s Annual Conference.

Nov. 8-10 – Ottawa, Ont., Canada (online): Canada's Violence Link Coalition will hold its virtual Canadian Violence Link conference and Prosecution of Animal Abuse conference.

Nov. 14 – (online): Kathleen Wood and Katherine Youssouf of ALDF will present "The Importance of Pre-Sentence Evaluation in Animal Cruelty Cases" in a <u>Justice Clearinghouse</u> webinar.

Nov. 15 – (online): Pennsylvania's Keystone Link Coalition will hold its regular monthly meeting.

Nov. 15-18 – Philadelphia Pa.: Núria Querol will present three programs on The Link at the <u>American</u> <u>Society of Criminology</u>'s annual meeting.

Nov. 28 – (online): Andrew Campbell will present a webinar on the impact of animal abuse in family violence for the <u>Justice Clearinghouse</u>.

Jan. 22-25, 2024 – San Diego, Calif.: Barbara Boat will present on The Link at the 39th Annual San Diego International Conference on Child and Family Maltreatment.



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

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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