

The LINK-Letter Vol. 16, No.11 November 2023

A monthly report of news from THE NATIONAL RESOURCE CENTER

ON THE LINK BETWEEN ANIMAL ABUSE AND HUMAN VIOLENCE

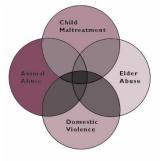
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in

Phil Arkow, Coordinator and Editor

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VETERINARY MEDICINE... and THE LINK

AVMA Publishes Powerful Link-based Framework for Responding to Animal Abuse

The American Veterinary Medical Association has taken perhaps its strongest position to date regarding practitioners' responsibilities to respond to suspected animal abuse – based in part on the potential impact on human health and welfare – with the publication of its newest guidance.

The Veterinarian's Framework for Identification and Response to Suspected or Known Animal Maltreatment offers extensive rationale and practical guidance supporting veterinarians' need to respond to potential animal cruelty. Publication of the 39-page manual was funded by the American Veterinary Medical Foundation.





"The dignity and status of the professional is uplifted each time a veterinarian addresses challenges in the profession, and AVMA ethical principles and policy provide guidance. The guidance contained in this document — applied in a patient-forward approach — can help to mitigate moral distress when encountering a case of suspected or known animal abuse or neglect, and can assist in deciding how to properly respond to the situation," the Framework notes.



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"The interconnectedness of animal and human health, welfare, and safety is vital, and the veterinarian's impact on animal and human health, welfare, and safety cannot be overstated. As such, it is essential that all veterinarians understand the imperative to identify and respond to any suspected or known maltreatment of animals. A failure to perform according to legal, professional, and societal expectations for the protection of animal health, welfare, and safety — especially from criminal action — is a betrayal to animals, people, and the veterinary profession itself. In fact, a failure to live up to the society's expectations for moral and ethical behaviors endangers the respect currently enjoyed by veterinarians."

The publication provides assistance with the identification, documentation, and reporting of suspected or known animal maltreatment, while offering tools to mitigate risk to the individual veterinarian and the veterinary practice. It repeatedly corrects a misconception common among practitioners who mistakenly believe that it is their

"A failure to live up to the society's expectations for moral and ethical behaviors endangers the respect currently enjoyed by veterinarians."

responsibility to definitively determine that a case of maltreatment constitutes illegal animal cruelty or neglect.

"It is **not** the veterinarian's task to determine if the maltreatment meets the enumerated elements of a crime; this is the duty of the investigating authority and the criminal justice system," the Framework states. "A failure to make a report of suspected or known animal maltreatment out of sympathy for a person (or for other reasons) can contribute to inequitable prosecution of crimes. The veterinarian should understand that even if a report of suspected or known animal maltreatment is substantiated, this does not mean that there will automatically be a prosecution. The criminal justice system has pathways for the provision of social and support services that may be pursued separate from or in concert with a prosecution.

"The alleviation of human and animal suffering absolutely hinges upon the implementation of an investigation, which of course requires that a report be made. It is essential that veterinarians do not serve as gatekeepers preventing appropriate responses to an allegation of suspected or known animal maltreatment," it concludes.

The Framework includes several references to The Link and National Link Coalition resources, beginning

"A failure to perform according to legal, professional, and societal expectations for the protection of animal health, welfare, and safety—especially from criminal action—is a betrayal to animals, people, and the veterinary profession itself."

with William Hogarth's seminal "Four States of Cruelty" engravings from 1751. "The inextricable commingling of violence to people and other animals is known as "the link." The veterinarian is expertly situated at the intersection of such harms. As such, a veterinarian is socially and ethically — and often, legally — obligated to protect animals and prevent new or furthered harms to other animals and people. We can consider the protection from violence to fall under the 'one safety' category of 'One Health' or 'One Welfare.'"

Appendices include state-by-state tables of reporting legislation describing: who's covered; whether reporting is permitted or mandatory; whether immunity is offered; who to report to; the extent of client-practitioner confidentiality; and state anti-cruelty statutes. Other appendices offer a sample hospital reporting policy and sample forms for reporting, chain-of-custody and consent for necropsy.

The Framework was co-authored by Martha Smith-Blackmore, who serves on the National Link Coalition's Professional Advisory Committee, and law professor Lenore M. Montanaro. It is a long-awaited sequel to AVMA's 2011 manual, *Practical Guidance for the Effective Response by Veterinarians to Suspected Animal Cruelty, Abuse and Neglect,* co-authored by Phil Arkow, Paula Boyden and Emily Patterson-Kane.

"It is crucial for veterinarians to have a plan in place for recognizing, documenting, and responding to animal cruelty before encountering it in practice. This free AVMA resource is designed to help veterinarians and their team do just that," said Smith-Blackmore.

Veterinarians' Responsibility to Report Suspected Abuse Cited



Adena Robertson

"Veterinarians and their staffs are in a very unique position to see both animal abuse and interpersonal violence. If we suspect animal abuse or have been confided in, we need to take it seriously. And we need to form relationships and partnerships with other groups to work as a team rather than separately."

Those were the watchwords of Adena Robertson, Chief Veterinary Officer for Animal Humane New Mexico. Speaking to the New Mexico Positive Links 2023 Conference on The Link, Robertson bemoaned "the lack of education in the veterinary community" regarding including animal abuse in veterinary school curricula. "There is currently a gap in the education of veterinarians regarding The Link and what to look for. There is a tremendous opportunity. So we all need to work together as a team."

Robertson acknowledged the many fears that practitioners have in reporting suspected abuse. In states such as New Mexico, veterinarians are not required to report suspected animal cruelty. They fear retaliation, physical threats, and the potential of lawsuits and adverse comments on social media. "It's a real fear and it exists."

Nevertheless, Robertson, who is President-Elect of the <u>New Mexico Veterinary Medical Association</u>, said that veterinarians have a moral and ethical obligation to protect not only their patients but also others in the family. She noted research that has found veterinarians to be one of the three professions most likely to encounter abused women, and that a practice's clientele tends to be women. Outside of the immediate family, a veterinarian is one of the few individuals who may interact with an abused animal. "People are more likely to report animal abuse to veterinarians than to law enforcement because we tend to form strong relationships with our clients," she advised.

She noted that many cases represent neglect rather than physical cruelty, often due to the client's lack of awareness. "Some clients just don't know how to properly care for an animal. It's the veterinarian's job to help educate them to better care for their pet."

DOMESTIC VIOLENCE... and THE LINK

Federal Bill would Re-authorize PAWS Act Provisions through 2028

When Congress finally passed the landmark PAWS (Pet And Women Safety) Act in 2019 after languishing for six years (See the January 2019 LINK-Letter), it made \$2,000,000 in federal funding – later increased to \$3,000,000 – annually to assist domestic violence shelters in constructing facilities to accommodate survivors' pets. It also added provisions allowing states' pet protection orders to be enforced if a survivor crossed state lines and moved to another state that did not have such pet protections.



Sens. Gary Peters, left, & John Cornyn

The original bill's timeline expired at the end of 2023. A new bill recently introduced, **S. 2734**, would reauthorize these emergency and transitional pet shelter and housing assistance grants from 2024-2028. The bipartisan measure was introduced by Sen. Gary Peters (D-Mich.) and co-sponsored by Sen. John Cornyn (R-Texas). It is in the Senate Committee on Agriculture, Nutrition and Forestry.

Tennessee Rescinds Animal Abuse Provisions in Domestic Abuse Definitions

The State of Tennessee has taken what appears to be a step backward in the protection of animals in domestic violence situations by rescinding statutory provisions whereby harm to animals in coercive-control situations was considered an act of domestic violence.

Tenn. Code Ann. § 36-3-601(1), as far back at 2013, had defined domestic abuse as "inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means, placing an adult or minor in fear of physical harm, physical restraint, malicious damage to the personal property of the abused party, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by an adult or minor, or placing an adult or minor in fear of physical harm to any animal owned, possessed, leased, kept, or held by the adult or minor. (Italics added for emphasis)

SB 979 and **HB 944**, which passed the Tennessee General Assembly this past Spring, deleted the references to animals. Under the new law, "Abuse" means:

- (A) Inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means;
- (B) Placing an adult or minor in fear of, or in, physical harm or physical restraint;
- (C) Causing malicious damage to the personal property of the abused party; or
- (D) Intentionally engaging in behavior that amounts to financial abuse.

It is unclear why legislators sought this deletion. It is possible they considered the references to animals unnecessarily repetitive as animals are technically considered "personal property," but this seems like a needless blow to recognizing the impact of The Link in domestic violence settings.

Currently, acts of harm to animals are defined statutorily as domestic violence in Alaska, Arizona, Colorado, Delaware, Indiana, Maine, Nebraska, Nevada, New Hampshire, Utah, Washington, and the District of Columbia.

Domestic Violence Link Described in Native American Communities

October's status as Domestic Violence Awareness Month is always cause for advocates to raise



awareness of intimate partner violence and, increasingly, how domestic violence Links with animal cruelty. This year's recognition of the month added a new dimension with a special consideration of how domestic violence and animal abuse are Linked in Native American communities.

The <u>Native America Humane Society</u> on Oct. 14 promoted the opportunity to discuss a difficult but important topic -- Domestic Violence Awareness and The Link between human violence and animal abuse in Native communities.

Diana Webster "Animal cruelty rarely occurs in isolation," wrote Humane Society founder Diana Webster. "Instead, it's usually the tip of the iceberg, and indicates to law enforcement and social services that if someone's hurting animals, another vulnerable person in the home or neighborhood is next."

The organization, whose mission is to empower tribal communities to manage and care for their animal populations, emphasizes that, "In healing the relationship with animals, tribal communities can also heal their people remembering that all life is sacred." The society promotes a 2017 research paper by Sarah Deer and Liz Murphy on using tribal beliefs to address animal abuse and family violence within tribal nations (See the March 2018 LINK-Letter).

Webster notes that while "it's a brutal truth that domestic violence is widespread," statistics from the National Indigenous Women's Resource Center indicate that Native American women are 2.5 times more likely to experience intimate partner violence than any other U.S. population group. 80% of Native American women will be victims of violent assault during their lifetime. However, "Native people are not more violent against people and/or animals than non-Native people. In fact, Native people have many traditions and practices that show a profound respect for all living things.

"Instead, animal abuse in connection with violence against humans in Native American communities is a result of colonization, a disruption of indigenous traditions, and a lack of availability of and/or accessibility to animal care/control services in tribal communities," she adds. "Domestic violence has a ripple effect. When families live with an abuser, their pets often become collateral victims."

Law Journal Article Reviews Pet Custody During Divorce Proceedings



A contentious issue that often occurs during divorces, many of which were initiated as a result of domestic violence, is the question of who gets to keep custody of the household pets which are still legally defined as property. Seven U.S. states, the District of Columbia and the Canadian province of British Columbia have taken the groundbreaking step of allowing courts to award custody of companion animals in what the court deems to be the animals' best interests. A new law journal article reviews the change in public perceptions and court actions leading to this new concept and advocates for additional legislation to be enacted that requires the well-being of companion animals to be considered

Sara Mićković to be enacted that requires the well-being of companion animals to be considered when put custody disputes arise.

-- Mićković, S. (2022). Fur-ever homes after divorce: The future of pet custody. Animal Law, 28(1), 47-62.

"Hope Cards" to Help New York Survivors Understand Pet Protection Orders

A new law in New York State will make it easier for domestic violence survivors to learn about the provisions that are included in their final orders of protection, including protection for their companion animals. **S 5935** orders 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 will 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.



Sarah Clark

Five other states – Idaho, Illinois, Indiana, Montana, and Virginia – have already enacted Hope Card provisions. Domestic violence advocates have argued that survivors have no simple way to assist in enforcing their orders of protection. The goal of these programs is to empower survivors with more effective enforcement.

Long-form paper copies of orders of protection are difficult to carry and can easily be damaged or lost. Hope Cards create a path for survivors to discretely and quickly share pertinent details of an order of protection with neighbors, family members, school personnel, or co-workers. The cards will be issued at no cost to the petitioner. There is no cap on the number of cards that can be requested.

The bill was sponsored by Assembly Member Sarah Clark (D – Rochester) and was signed into law by Gov. Kathy Hochul on Oct. 23 and takes effect 180 days thereafter.

Domestic Violence Encyclopedia Addresses The Link



Crystal Giesbrecht

A chapter in a newly published *Encyclopedia of Domestic Violence* includes an extensive 15-page listing on companion animals and how their welfare is Linked with domestic violence. Crystal Giesbrecht and colleagues expand on their earlier research on The Link in Saskatchewan and British Columbia. They introduce a new terminology – VAAC, or "Violence Against Companion Animals" – and describe how it often co-occurs with abuse of intimate partners and children. They describe current research, the impact of the human-animal bond on abused women, and how companion animals can inadvertently create barriers to ending relationships where intimate partner violence is occurring. They explore the theoretical

frameworks of the violence graduation and the generality of deviance hypotheses vis-à-vis animal abuse's intersections with intimate partner violence, and how these also impact children in the home. They review current and proposed legislation in the U.S. and Canada.

-- Giesbrecht, C.J., Stevenson, R., Zmud, L., & Fletcher, A.J. (2023). Companion animals and domestic violence, (pp. 1-15). In T.K. Shackelford (eds.). *Encyclopedia of Domestic Violence*. Springer Nature Switzerland AG. https://link.springer.com/referenceworkentry/10.1007/978-3-030-85493-5 291-1

SOCIAL WORK ... and THE LINK

Petition Seeks to Include Link and Human-Animal Bond in Social Work Education

A serious gap in social work pre-professional training and continuing education has been cited (See the October 2022, May 2021 and September 2016 LINK-Letters) because social workers routinely fail to recognize the presence and relationships of animals in the lives of their clients. Both the emotional human-animal bond attachments and Link-based issues that can affect clients' quality of life, environments, decision-making, and potential escalation into other family violence are conspicuously ignored. A National Link Coalition study found that of 889 BSW and MSW programs in the US, only 29 are believed to include human-animal relationships anywhere in the curriculum.



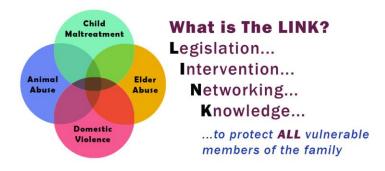
Keara O'Bryen

To rectify this gap, Keara O'Bryen, a Licensed Master Social Worker in New York, has launched an online petition drive to reach out to schools of social work, academics and professionals of other disciplines that converge with social work's interdisciplinary approach, to advocate for the inclusion of non-human animals in social justice pedagogy and practice. Her petition seeks to encourage the Council for Social Work Education to include other animal species in the curriculum's Core Competencies needed for accreditation, and to prompt the National Association of Social Work to include this topic in the profession's Code of Ethics.

O'Bryen cites the Links between human-animal violence and social work mission and core competencies as necessitating the inclusion of other species in the social work profession, education, and practice.

"Social work is a field that has a foundation based in ethics and morality. It is critical to conceptualize the human as a being that is a part of Nature -- greater society -- rather than superior and separate from It. The progress of our species, collective and individual healing, restorative and regenerative justice never comes from the abuse, oppression, and exploitation of another being -- of our own species, or others," she argues.

She says the CSWE and NASW have an ethical responsibility to include other species in social work education practice and pedagogy. "Not only are other species clients, but they are also colleagues in animal-assisted therapies and interventions. To not include them within the paradigmatic framework of the profession is unethical, exploitative, negligent, and harmful to all of the clients we serve," she writes. "Students, practitioners, clients, and society at large only benefit from including other species in pedagogy and practice."



CRIMINAL JUSTICE ... and THE LINK

NCJFCJ/ALDF Judicial Institute Trains Judges on The Link

The National Council of Juvenile & Family Court Judges and the Animal Legal Defense Fund conducted a groundbreaking Judicial Institute on the Human-Animal Bond and the LINK Between Animal Cruelty and Interpersonal Violence: Issues in Family Law Cases. The $1^{-1}/_{2}$ day event, held on Oct. 2-3 at the George Washington University Law School in Washington, D.C., was held for judicial officers who handle juvenile and family law



Judicial Institute Participants pose for a group photo during an evening reception at George Washington Law School in Washington, D.C.

matters. The curriculum was designed to help develop their strong interest in learning about recommended practices for addressing companion animal welfare issues that arise in the context of domestic violence, child abuse, elder abuse, juvenile justice, divorce, and child custody cases. The Institute also offered a hands-on understanding and application of the seminal publication by the NCJFCJ and the ALDF, *Animal Cruelty Issues: What Juvenile and Family Court Judges Need to Know*.

Thirteen judicial officers from six jurisdictions participated. "The curriculum included several activities for participants to consider how they could apply what they learned about the issues on the human animal bond and the Link between animal cruelty and interpersonal violence and recommended practice in different kinds of family law cases where pet safety and welfare are relevant," explained Martha-Elin Blomquist, NCJFCJ Senior Site Manager.

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Rosemary Cosgrove-Aguilar

P.A.W. Court Offers Alternative Counseling to Animal Control and Cruelty Offenders

"One of the things we've learned over the past 15 years is that if you're helping a domestic violence victim and not thinking about what will happen to their pet if she leaves you are not helping that victim. That's something that has become very clear."

That was the guidance that The Hon. Rosemary Cosgrove-Aguilar of the Bernalillo County, N. Mex. Metropolitan Court told judicial officials at the <u>Positive Links</u> New Mexico's 2023 Conference on The Link. As is now well recognized, abusers often hurt or kill pets as "soft targets" to keep other

family members from escaping. "What better way to exercise power and control," she said. "That threat to the animal is enough to keep a domestic violence victim in the home."

She described how Bernalillo County established a specialty <u>Pre-Adjudication Animal Welfare (P.A.W.)</u> Court in 2016 modeled after the animal cruelty court in Tucson, Ariz. (See the <u>April 2012 LINK-Letter</u>). A law school student found huge correlations between animal complaints and violent crimes against people in the county's criminal database. "We asked where we could intervene to prevent future violence to people and animals," Cosgrove-Aguilar said.

The court offers a voluntary diversion program for animal cruelty and low-level animal control offenses. Participants complete the AniCare psychological intervention program after being screened and given approval by the judge. The district attorney will drop all charges, and probation and parole officers will be called off the case, if the person completes the 16-week course.

Referrals to the program can be made by the district attorney, defense attorney, another judge, animal control officers, or through self-referral. There is a minimal \$20 co-pay to make the program affordable for low-income people but to give them a sense of buy-in. Upon completion, participants are given a graduation ceremony, a certificate of completion, a motion hearing to dismiss all charges, and a chance to address the court and describe how the program has impacted their lives. The P.A.W. Court meets biweekly and handles an average of 10 cases per year. Since 2016 only a handful of people have been terminated from the program for non-compliance. Some participants have re-offended with other crimes but none have been re-tried on animal cruelty charges, she said.

"These people are hurting," she said about the participants. "Once they get into the program they find it really helpful. Getting someone into counseling and someone they can talk to is a benefit they never knew they needed. I get really good feedback from them."

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LEGISLATION ... and THE LINK

Lobbyist Offers Advice on Getting Link Legislation Passed

"There's definitely more power when we're working together," said Jessica Johnson Shelton, Chief Governmental Affairs Officer for Animal Protection New Mexico and its governmental affairs division, Animal Protection Voters of New Mexico. Shelton spoke at Positive Links New Mexico's 2023 Conference on The Link. Synergy among organizations and individuals addressing different aspects of The Link is critical, she said, because few states have "professional legislators" and most legislators know little about Link topics.



"The frustrating part of being an advocate, whether for animals or for people, is that lawmaking systems were founded and designed to be

Jessica Johnson Shelton

intentionally slow, deliberative and cumbersome," she noted. Link topics are never an easy issue, there is always someone who doesn't like what you're doing, and in a state like New Mexico where over 1,000 bills are introduced in a 60-day session there are invariably political challenges. "Most things won't get passed because there's just not enough time," she advised. "Don't be surprised when a legislative effort takes multiple years to succeed."

APNM currently has four legislative priorities in New Mexico:

- "Misty's Law," which would add abusers' acts of animal cruelty to provisions of the Family Violence Protection Act that would explicitly allow judges to include animals in domestic violence protection orders, as 40 states have already done. These provisions in SB 18 were defeated in the 2023 session.
- Mandating and facilitating agency and professional cross-training and cross-reporting. "There's
 not a lot of sharing of information," she said, describing how APNM is meeting with such
 stakeholders as animal control officers, law enforcement, probation and parole officers, judges,
 attorneys, first responders, social workers, healthcare workers and veterinarians to effect
 interdisciplinary Link referrals.
- Grow support for co-sheltering and off-site foster housing for pets in domestic violence and homeless shelters.
- Strengthening state anti-cruelty laws to: adequately fund prosecutors and law enforcement
 offices; clarify statutory language for more effective prosecution and sentencing of animal abuse
 offenders; develop and require training and certification for animal control officers; increase the
 availability of pre-trial and post-conviction psychological counseling; fund humane education in
 New Mexico's schools; and extend protections to all animals. "Animal cruelty should be
 addressed wherever it is happening," she said. "We need to scoop these people up and get
 them into the criminal justice system."

Shelton advised individuals pursuing Link laws to meet regularly with their state legislators, attend committee hearings, attend their town hall meetings, write letters to newspaper editors, stay informed, and start planning for future legislative sessions early. "Meet with the interim committees before the legislative session starts," she advised. "Lobbying for Link legislation is not confined to the legislative session itself. If you wait until the session starts you're too late."

THE LINK in the LITERATURE

Human-Animal Bond Handbook Addresses The Link

Several chapters in the recently published Routledge International Handbook of Human-Animal Interactions and Anthrozoology refer to The Link between animal abuse and human violence as indicators of the gravity of crimes against animals and their implications for human well-being.

In "Animal hoarding: The human-animal bond gone awry," Phil Arkow writes that what researchers and authorities have variously called "killing with kindness," "an animal cruelty case on steroids," and the "Noah syndrome" is a depressingly intractable problem. "Even under the best of circumstances, the prognosis for animal hoarders is guarded, with relapses likely and with the reality that truly determined hoarders can seldom be prevented from continuing their behavior. With recidivism rates close to 100%, the intensity of animal hoarding behavior has not been shown to be mitigated by the customary criminal justice or psychothera-



peutic interventions," he writes. The chapter concludes with ideas for future research, programming and public policy to address this "dark side" of the human-animal bond.

-- Arkow, P. (2023). Animal hoarding: The human-animal bond gone awry. In A.H. Fine, M.K. Mueller, Z.Y. Ng, A.M. Beck, & J.M. Peralta (Eds.). The Routledge International Handbook of Human-Animal Interactions and Anthrozoology, pp. 314-330. Routledge.



Maya Gupta, left, & Shelby McDonald

In "Co-occurrence of animal abuse and intimate partner violence," Maya Gupta and Shelby McDonald describe the prevalence and challenges of intersecting animal abuse and interpersonal violence. They note that threatening animals to intimidate partners also extends to coercive control of children in the home and may exacerbate the negative effects of victimization on adult and child survivors' psychological health, physical health, and safety. They outline adverse impacts on the

animals' physical, psychological and behavioral health and such practical and policy perspectives as cohousing and pet foster care programs, pet protection orders, cross-reporting, and including animal abuse in statutory definitions of intimate partner violence.

> -- Gupta, M., & McDonald, S. (2023). Co-occurrence of animal abuse and intimate partner violence. In A.H. Fine, M.K. Mueller, Z.Y. Ng, A.M. Beck, & J.M. Peralta (Eds.). The Routledge International Handbook of Human-Animal Interactions and Anthrozoology, pp. 331-346. Routledge.

Randall Lockwood describes how motion pictures help shape how we learn about the character of an individual or a culture by how persons in movies treat or mistreat animals. In "I'll get you... and your little dog too! Animal cruelty and kindness in the cinema over the last century," he says human-animal interactions were first featured in motion pictures in 1895 and now animal abuse depicts the development of violence and the progression of harm. Animal cruelty can define characters who are generally deviant, engaged in domestic, child or elder abuse, abuse animals on the job, or mad scientists and evil super-villains. He also describes Randall Lockwood



how a character's personality is defined by acts of kindness to animals or who is redeemed by such acts.

-- Lockwood, R. (2023). I'll get you... and your little dog too! Animal cruelty and kindness in the cinema over the last century. In A.H. Fine, M.K. Mueller, Z.Y. Ng, A.M. Beck, & J.M. Peralta (Eds.). The Routledge International Handbook of Human-Animal Interactions and Anthrozoology, pp. 690-703. Routledge.

ABA Journal Articles Address The Link

Two articles by writer Julianne Hill in the most recent issue of the American Bar Association's prestigious *ABA Journal* review issues of importance to attorneys, prosecutors, judges and other court personnel handling cases of animal abuse and other forms of family violence.



In "Vet Detectives," Hill describes how forensic veterinarians examine "beastly crimes." She interviewed forensic veterinarians Martha Smith-Blackmore, Elizabeth Pearlman, Melinda Merck, and Rachel Touroo for a first-hand look at a day in the life of a forensic vet. "It's our role to inform the courts so that justice can be served," Smith-Blackmore said.

Legal aspects of the process were described through interviews with several authorities, including Delcianna Winders of the Animal Law and Policy Institute at the Vermont Law & Graduate School, Emily Lewis of the Animal Legal Defense Fund, and Virginia Assistant Attorney General Michelle Welch. "I encourage lawyers who do animal cruelty cases to use vets and use them early," said Lewis. "For vets, I always want to remind them of their oath—to protect the health and the welfare of animals and prevent suffering. They do have a duty, in my mind, to report animal cruelty when they see it."

"Animal abuse and domestic violence can go hand in hand," wrote Hill in the second article, describing how experts have reported that animal abuse is a typical means of power and control to manipulate intimate partners. Hill interviewed representatives of the National Link Coalition, the Los Angeles SPCA, the ASPCA, AND THE National Council of Juvenile & Family Court Judges. Asking children about how their pets are treated helps them to connect the animal's mistreatment to the abuse they are receiving. "That can be a doorway into piercing the veil to find out what's going on in the family," said retired judge Rosa Figarola, a member of the NCJFCJ and the National Link Coalition's Professional Advisory Committee.

Hill, J. (2023, October/November). Vet detectives: Forensic veterinarians help examine beastly crimes.
 ABA Journal, 50-56.

 Hill, J. (2023, October/November). Animal abuse and domestic violence can go hand in hand.
 ABA Journal, 57.

One Welfare Approach Suggested for Animal Hoarding Cases

A new research paper from Italy proposes that because animal hoarding is a serious behavioral issue that overwhelms hoarders, impacts many animals, and poses significant challenges to animal welfare and threats to human health, positive interventions can be achieved by using the emerging One Welfare approach, which recognizes the interdependence of animal welfare, human well-being, and the environment. One Welfare can work at the interface of human and animal health and welfare and address the poor state of humans while also planning strategies that benefit animals, including their conditions in shelters. The author notes that animal hoarding has implications not only for the homes in which hoarders and their massive numbers of animals reside, but also for the animal shelters which are often overwhelmed with attempting to care for these animals. One Welfare, as a complement to One Health, may be appropriate as a foundation for addressing the challenges posed by animal hoarding and moving animals to shelters. Although in many cases risky animal hoarding behaviors cannot be stopped, integrating existing strategies with interdisciplinary collaboration fostered by this concept could improve the resolution of hoarding cases.

-- Fossati, P. (2023). Challenges in sheltering seized animals from hoarders from a One Welfare perspective.

Animals, 13, 3303. https://doi.org/10.3390/ani13213303

New Textbook Explores Multiple Dimensions of The Link

A new textbook addresses numerous aspects of The Link between animal abuse and human violence. Edited by Oliver Chan and Rebecca Wong, of the Department of Behavioral Sciences at City University of Hong Kong, the book expands on their earlier research (See the October 2019 LINK-Letter) that explored childhood and adolescent acts of animal abuse and future interpersonal violence.



Animal Abuse and Interpersonal Violence: A Psycho- Criminological Oliver Chan & Rebecca Wong Understanding includes 16 chapters by noted global authorities including:

- "Animal Abuse: Beyond Companion Animals and Domestic Households," by Rebecca W. Y. Wong
- "The Animal Cruelty-Delinquency Relationship: Violence Graduation, Deviance Generalization, or Antecedent Lifestyle?" by Glenn D. Walters
- "Animal Cruelty and the Development of 'Link' Research between Nonhuman and Human Violence," by Suzanne E. Tallichet and Elizabeth B. Perkins
- "Attitudes toward Animal Abuse and Interpersonal Relating," by Michelle Newberry
- "Toward a Classification of Animal Maltreatment," by Alan R. Felthous and Marissa A. Hirsch
- "How Animal Abuse Is Related to Interpersonal Violence: A Review of Research in Turkey," by Seda Akdemir Ekizoğlu
- "Dog Ownership, Love, and Violentization Among Young People in the United Kingdom," by Jennifer A. Maher
- "Animal Cruelty, the Link to Interpersonal Violence, and the Law" and "Bestiality: Understanding Sex with Animals and its Forensic Relevance," by Brian Holoyda
- "The Role of Veterinarians in the recognition of Animal Cruelty: Lessons from a Pilot Study in the Netherlands," by Anton van Wijk and Nienke Endenburg
- "Animal Abuse, Control, and Intimate Partner Violence," by Angus Nurse and Nadine Harding
- "Substance Abuse and Animal Maltreatment: An Overlooked Opportunity for Intervention?" by Lacey Levitt

--Chan, H.C., & Wong, R.W.Y. (2023). *Animal abuse and interpersonal violence:*A psycho-criminological understanding. John Wiley & Sons Ltd.

Building LINK A WARENESS

Japanese Manual Describes Addressing Animal Abuse Via The Link



Japan's Animal Literacy Research Institute has a new 98-page manual that discusses the ideal steps, factors and measures in addressing animal abuse from the perspective of the LINK. "The PDF reviews what the current steps and measures for addressing animal abuse in Japan looks like (especially from the perspective of the LINK -- that is, whether the LINK is considered in any way under the current steps) and proposes how the LINK can be incorporated to better protect both animals and humans," ALRI Director Sakiko Yamazaki said.

The pdf references many of the National Link Coalition's materials. It is published in Japanese and is <u>available for</u> purchase.

THERAPEUTIC INTERVENTIONS and THE LINK

Link Cited in Passage of Evaluation and Counseling Provisions



A new law in California, based on The Link between animal abuse and human violence, expands the provisions under which violators of the state's animal cruelty laws must undergo mandatory counseling. AB 829, was signed into law on Oct. 9 by Gov. Gavin Newsom. It expands current required counseling for violations under Penal Code section 597 to several other sections pertaining to serious animal abuse crimes, such as malicious violence, willful poisoning and bestiality.

Assemblywoman Waldron

The changes now require a court to consider a mental health evaluation for individuals convicted of serious animal abuse 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 new law requires a court to consider ordering a defendant who has been granted probation after conviction of specified animal abuse crimes to undergo a mental health evaluation. It requires the defendant to complete mandatory counseling as directed by the court if the evaluator deems it necessary. Offenses specified in the law include: sexual contact with an animal; willful poisoning of an animal; animal cruelty; intentionally causing injury or death to a guide or service dog; and keeping an animal in specified places without proper care.

The bill's author, Assemblywoman Marie Waldron (R-San Diego/Riverside Counties), promoted the provisions, arguing, "Over the past 30 years, researchers and professionals in a variety of human services and animal welfare disciplines have established significant correlations between animal abuse and violence toward humans. Despite the recognition of this correlation, current sentencing options for animal abuse crimes are largely punitive measures that do little to help end the cycle of violence or rehabilitate offenders." She noted that fines, jail time, probation, and forced animal surrender, the primarily utilized options, may not be enough to address the underlying issues leading to animal abuse.

"Appropriate mental health counseling and education are important tools that can benefit public safety as well as reduce offender recidivism rates," added <u>Social Compassion in Legislation</u>, a California political animal advocacy group. "Thankfully, animal cruelty is a growing issue of concern for law enforcement as well as mental health professionals. Offenders who display violence towards animals often subsequently commit violent acts towards humans whether it be child abuse, domestic violence, or, as we saw tragically in Parkland, Florida, mass shootings. Mental health evaluations for animal abusers... are crucial for rehabilitation of animal abusers and will have a significant impact on the reduction of recidivism rates among animal abusers as well on preventing these abusers from escalating to human victims."

Addressing The Link During Human-Animal Relationship Awareness Week



The <u>Animals & Society Institute</u> has declared Nov. 13-19 to be Human-Animal Relationship Awareness Week. Many of ASI's resources address The Link between animal abuse and human violence. Join us as we raise additional awareness about The Link.

NEWS from LINK COALITIONS

Kendra Coulter Named to Professional Advisory Committee

The National Link Coalition is proud to announce the appointment of the first international member of our Professional Advisory Committee with the addition of Kendra Coulter, Ph.D.

Coulter is Professor of Management and Organizational Studies at Huron University College, Western University in London, Ontario, Canada. She is a Fellow of the Oxford Centre for Animal Ethics. An expert on animal protection work and policy, her latest book is *Defending Animals: Finding Hope on the*



Kendra Coulter

Front Lines of Animal Protection published by MIT Press (See the <u>July 2023 LINK-Letter</u>). She serves on the Canadian Violence Link Coalition's Strategic Planning Committee and Coordinating Committee. She is a member of the Royal Society of Canada's College of New Scholars, Artists, and Scientists.

Coulter has written extensively about Link issues, including studies about the increased occupational risks to female humane and animal control officers (See the <u>April 2018 LINK-Letter</u>) and the significance of veterinary forensics (See the <u>July 2019 LINK-Letter</u>). She has described how Link cases exacerbate the stressors experienced by humane investigators and also how animal cruelty enforcement is improved with good public policy that includes The Link (See the March 2019 LINK-Letter).

The National Link Coalition's Professional Advisory Committee is comprised of 15 recognized authorities in such fields as veterinary medicine, law enforcement, academic research, animal care and control, criminal justice, elder abuse, and social work who support the Board of Directors in achieving our organizational goals.

THE LINK... IN THE LEGISLATURES

Only a few state legislatures are still in session, but the impetus for addressing animal abuse's Links with human violence shows no signs of letting up. Already, 136 bills have been introduced in 2023 in the U.S. and Canada – and 15 have been signed into law. 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

H.R. 3957, the PUPP Act of 2023 (Providing for Unhoused People with Pets) would authorize the Secretary of Agriculture to make grants to modify and upgrade structures that serve as interim and permanent housing for unhoused individuals with pets, and to provide supportive and veterinary services. It was referred to the House Agriculture and Financial Services Committees' Subcommittee on Livestock, Dairy and Poultry.

S. 2734, the PAWS (Pet And Women Safety) Reauthorization Act of 2023 would re-authorize the federal PAWS Act provisions passed in 2019 – making \$3,000,000 available annually to help domestic violence shelters build facilities to accommodate pets and enabling pet protection orders to be enforced across state lines – to be continued from 2024 to 2028. The bill is in the Senate Committee on Agriculture, Nutrition and Forestry

Arizona HB 2184 would allow courts to issue an exparte 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 was held in the House Judiciary and Rules Committee when the Legislature adjourned.

California SB 89 would expand the definition of stalking to include willfully, maliciously and repeatedly follows or harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for the safety of that person's pet, service animal, emotional support animal, or horse. 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.



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 protectionfrom-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. The measure died when the General Assembly adjourned.

Massachusetts H.4115 would add "coercive control," including committing or threatening to commit cruelty to animals connected to a family or household member, to the definition of abuse. "Coercive control" is "an act or pattern of behavior committed with the intent to substantially restrict an individual's safety or autonomy through threat, intimidation, harassment, isolation, control, coercion or compelled compliance." The bill is in the House Committee on Ways and Means.

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.

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 157 allows domestic violence victims to file for protection orders that 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 signed into law on June 6.



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 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 and A 5040 orders 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 will 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. S 5935 was signed into law on Oct. 23.



New York A 7903 and S 7608 would enable veterinarians to receive up to three hours of continuing education credit for providing pro bono veterinary care services to individuals in domestic violence and homeless shelters. The bills are in the Assembly Higher Education and Senate Rules Committees.

Oregon SB 496A would have appropriated \$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, where **it died when the Legislature adjourned.**

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 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 was approved by the House and sent to the Senate 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 in the House Judiciary Committee when the General Assembly adjourned.



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 in the House Judiciary Committee **when the General Assembly adjourned**.

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 in the House Judiciary Committee when the General Assembly adjourned.

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 when the General Assembly adjourned.

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 the public 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 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 2nd Reading in the Senate on June 21 and was referred to the Standing Committee on National Security, Defense and Veterans Affairs.

British Columbia Bill 17 amends the Family Law and gives divorcing parties options to jointly or exclusively own their companion animals. It allows courts to consider the animals' best interests and the family's history of violence in ordering ownership of the animals as part of a divorce settlement. The bill received Royal Assent on May 11.



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. The bill died 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 became law on June 15.



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.

Pennsylvania SB 852 would permit limited access to criminal records of certain individuals convicted of felonies. Individuals convicted of sexual intercourse with an animal within the previous 15 years would not be eligible for such limited access. The bill is in the Senate Judiciary Committee.

Cross-Reporting

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.



lowa SF 316 and HF 472 would have granted 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. The bills 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 4936 would allow 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 have increased 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 was in the House Judiciary Committee when the Legislature adjourned.

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-A 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 Judiciary and Senate Codes Committees.

Pennsylvania SB 55, citing a duty to protect all children in the Commonwealth and defining domestic abuse as a pattern of abuse within the family or household that can include abuse of a partner, spouse, child or pet, would order courts to consider a party's conviction for sexual intercourse with an animal, cruelty or aggravated cruelty to an animal, animal fighting, or possession of animal fighting paraphernalia in the court's determination of child custody that is in the child's best interests. The bill would also permit The Administrative Office of Pennsylvania Courts to develop and implement an ongoing education and training program for court officials on "all aspects of the maltreatment of children," including the impact of child abuse and domestic violence – but not exposure to animal cruelty. The bill is in the Senate Judiciary Committee.

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.

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.**

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, the Animal Cruelty and Violence Intervention Act will expand current required counseling for violations under penal code section 597 to several other sections pertaining to serious animal abuse crimes, such as malicious violence, willful poisoning and bestiality. It also requires 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 was signed into law by Gov. Gavin Newsom on October 9.

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 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 committee.**



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 died in committee.**





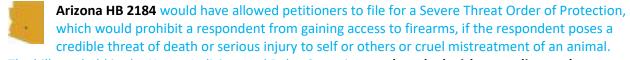
Missouri SB 382 would have allowed children or vulnerable persons testifying in judicial proceedings to be accompanied by a certified therapeutic dog. **The bill died in committee.**



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



The bill was held in the House Judiciary and Rules Committees when the legislature adjourned.



Arizona SB 1086 would have included animal fighting and cockfighting, when committed for financial gain, within the state's definition of racketeering. It was in the Senate Natural Resources and Rules Committees when the legislature adjourned.

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 to the Commissioner of Public Safety and add an advanced training program that would include animal hoarding and animal cruelty with respect to domestic violence. The bill 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 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.



Oregon SB 5506 will appropriate \$457,758 for an animal cruelty resource prosecutor 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 was unknown how long the grant funding will continue. The provision was signed into law on Aug. 4.



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



Crocodile Expert Pleads Guilty to Bestiality, Child Pornography and Animal Cruelty

A renowned Australian zoologist and crocodile expert who was initially charged with 75 counts of child and animal sexual abuse (See the March 2023 LINK-Letter) has pleaded guilty to 60 charges of animal cruelty, bestiality and possession of child exploitation material. Adam Robert Corden Britton, 52, Senior Research

Adam Britton

Associate at Charles Darwin University, pleaded guilty to charges including the torture, rape, and killing of at least 39 dogs. The court heard that he referred to the animals as "f-k toys", raped puppies and operated a nightmarish "torture room." The NT News reported Crown Prosecutor Marty Aust revealed in court that Britton had a sadistic sexual interest in animals, particularly dogs, dating back to at least 2014. Britton more recently obtained 42 dogs of various breeds and ages, most of which he tortured and sexually exploited for his sadistic pleasure, ultimately killing them. A search of Britton's laptop uncovered 15 files of child abuse material he had sourced online, including content involving toddlers being subjected to horrifying acts. He will be sentenced in December.



"Crush" Video Case Nets 10 Life Sentences

An Edgewood, Ky. couple who used her daughter and son and a cat over a six-year period in a fetish which involves walking, stepping and stomping on people or objects for sexual gratification have been found guilty. The Cincinnati Enquirer reported that Michelle Bray, 43, was found guilty of nine counts including complicity to criminal abuse, complicity to promoting a sexual performance by a minor, complicity to sexual abuse and human trafficking. Over a six-year period she and

Michelle Bray & Christopher Whittaker

her then-boyfriend Christopher Whittaker, 39, videoed her daughter, son and cat being stepped on by her while wearing high heels. Bray is scheduled to be sentenced on Dec. 5. Whittaker pled guilty in March to 84 felony counts of physical and sexual child abuse; the jury recommended a 30-year prison sentence, and the prosecutors asked for 70 years, but the judge gave Whittaker 10 life sentences.

British Former Veterinarian Convicted of Child and Animal Pornography

A former British veterinarian was convicted of having 2,280 digital pornographic images of children and 109 extreme pornographic images involving bestiality. Robert Russell, 63, of Hythe, pleaded guilty to making indecent photographs of children, possessing a prohibited image of a child and possessing extreme pornographic images involving animals. The ages of the children were between four and 16. The New Milton Advertiser & Lymington Times reported that Russell was sentenced to a 24-month community order including 150 hours of unpaid work. He must also complete 30 days of a probation-run rehabilitation activity requirement and pay court charges of £515. Russell was also made the subject of a five-year sexual harm prevention order which restricts his internet use.

Alleged Dutch Mass Shooter Had History of Animal Cruelty

CNN has reported that a 32-year-old Dutch student who reportedly went on a shooting rampage in Rotterdam that left three people dead has a prior history of animal cruelty. The suspect, who was not named in accordance with Dutch privacy laws, has a criminal record included being convicted of animal abuse in 2021. Police said the shooting first erupted in a private home where the suspected gunman fatally shot a 39-year-old woman and her 14-year-old daughter, then set fire to the house, then went to Erasmus University Medical Center where he fatally shot a 46-year-old doctor and set another fire.

Babysitter Charged with Abandoning Children During Animal Welfare Check



Amanda Jones

A Knoxville, Tenn. Woman who was already being sought on four criminal warrants was arrested on charges of animal cruelty and resisting arrest after she allegedly abandoned two children and fled from police who were investigating a possible animal abuse case at the home where she was babysitting the children. WVLT-TV reported that Amanda Leighann Jones, 38, fled when police arrived to do a welfare check on a pit bull that had no water and was tied up outside in 96-degree weather. The two officers remained at the home to attend to the children while other police, K-9 units and an airwatch unit were dispatched to try to locate Jones.

Former K-9 Officer Faces Charges in Disappearance of His Dog

A former K-9 handler with the Chapmanville, W. Va. Police Department has pled not guilty to six charges of animal cruelty, falsely reporting an emergency, making false statements, and obstructing an officer. According to a police investigation reported by WCHS-TV, Marcus Dudley said his K-9 named "Chase" jumped a fence and escaped and has been missing since last April. However, a police investigation alleges the facts do not align with Dudley's account of the incident. Dudley lost his job and was apprehended in Georgia and extradited back to West Virginia. Police have not indicated Marcus Dudley

whether Chase is dead or still alive.



Chase Warfel

Man "Beat the Sh*t" Out of Neighbor for Mistreating His Dog

In an unusual example of how animal abuse can lead to human violence, a Bloomington, Ind. man was charged with battery and strangulation for allegedly assaulting a neighbor for not taking proper care of his dog. Fox59 News reported that Chase A. Warfel, 22, admitted to police that he "beat the sh*t out of him" because he was tired of his neighbor mistreating his dog, not feeding him or taking him outside.



Johnny Pickens

Man Accused of Choking Girlfriend and Killing Her Mother's Dog

Johnny Deangelo Pickens, 35, of Dayton, Ohio, was arraigned in Dayton Municipal Court on charges of allegedly beating and choking his girlfriend and killing her mother's dog. The Dayton Daily News reported that Pickens was charged with strangulation, domestic violence, cruelty to companion animals, and aggravated menacing. The girlfriend reportedly told police that Pickens had hit her multiple times with a closed fist, poked her with a knife and choked her to the point where she almost went unconscious. The next day, Pickens was watching her mother's dog when

he reportedly sliced the dog's leg with a machete, hit the dog on the head three times with a hammer, and then threw the dog in the trash. When the woman called the police, she said Pickens became angry at her and her mother and threatened both of them repeatedly over the phone. He said he was going to burn the house down and "hoped all of her family dies," the affidavit stated.

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.

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 <u>Justice Clearinghouse</u> webinar.

Nov. 14 – Kansas City, Mo. (online): BestyBnB will host a webinar on "Bridging the Gap: Establishing Relationships between Social Services and Animal Welfare."

Nov. 15 – Lake Ozark, Mo.: Phil Arkow will present "Animal Abuse, Animal Hoarding and Elder Abuse: Challenges and Strategies for Adult Protective Services" for the <u>Missouri Department of Health and Senior Services</u>.

Nov. 15 (online): Kate Nicoll will present a webinar on "A Narrative Exploration of the Therapeutic Value of Human-Animal Interventions of Traumatized Children who Commit or Witness Animal Maltreatment" for the American Psychological Association's https://example.com/human-Animal Interaction section.

Nov. 15-18 – Philadelphia Pa.: Núria Querol will present "Use of Animals by Terrorist Groups: From Propaganda to Terrorist Attacks," "Challenges and Limitations of Analyzing Incidents of Animal Cruelty with the NIBRS" and "Attitudes and Dynamics of Victims of Intimate Partner Violence Utilizing an Animal Foster Program" at the <u>American Society of Criminology</u>'s annual meeting.

Nov. 21– Liskeard, Cornwall, United Kingdom (online): Refuge4Pets will offer a <u>2.5-hour training course</u> on "Animal Abuse as a Strategy of Coercive Control."

Nov. 22 – Charlottetown, PEI, Canada (online): Monique St. Germain and Debra Danco of the Canadian Centre for Child Protection will present a webinar, "The Link between Child Sexual Abuse and Animal Sexual Abuse," for Violence Link PEI.

Nov. 28 – (online): Andrew Campbell will present a webinar on the impact of animal abuse on community violence for the Justice Clearinghouse.

Dec. 3 – Tokyo, Japan (online): Sakiko Yamazaki will conduct a <u>webinar</u> on "The Impact of Witnessing Animal Abuse: The Possible Risks of Being Exposed to Animal Abuse" for the Animal Literacy Research Institute and the Japanese Association for the Promotion of Canine Good Citizens.

Dec. 7 – Liskeard, Cornwall, United Kingdom (online): Refuge4Pets will offer a <u>2.5-hour training course</u> on "Animal Abuse as a Strategy of Coercive Control."

Jan. 16, 2024 – Kansas City, Mo. (online): Besty BnB will host a webinar, "Safety Planning with Survivors of Domestic Violence and their Pets."

Jan. 18, 2024 – Phoenix, Ariz.: A breakout session on "Skills: Identifying and Presenting Links between Domestic Violence and Animal Abuse" will be featured at the Association of Prosecuting Attorneys' 5th National Domestic Violence Prosecution Conference.

Jan. 19, 2024 – Hartford, Conn.: Phil Arkow and Diane Rosell will discuss The Link at the <u>University of Connecticut School of Law</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.

March 1, 2024 – Indianapolis, Ind. (online): Phil Arkow will present "Nine Career Opportunities Where Pet-Inclusive Social Work Can Improve Delivery of Services" at the Indiana University School of Social Work's Alumni Conference.

March 25, 2024 – Des Moines, Iowa: Phil Arkow will present :"Connecting the Dots in Child Abuse and Children's Advocacy: Animal Abuse as a Risk Factor for Child Maltreatment and Other Family Violence" for the Blank Children's Hospital's STAR Center.

March 28, 2024 (online): Katie Campbell will present "The Power of Pets: How Pet-friendly Domestic Violence Shelters Aid Healing, Build Morale, and Support Fundraising," in a <u>webinar</u> for the Justice Clearinghouse.

April 23-25, 2024 – San Diego, Calif.: Phil Arkow will be a keynote and workshop speaker at the 24th Annual International Family Justice Center Conference.

July 16, 2024 – (online): Phil Arkow will present "The Missing LINK in Social Work: Addressing Animal Abuse to Improve Delivery of Services to Vulnerable Victims" in a webinar for the <u>Justice Clearinghouse</u>.

Nov. 19, 2024 – (online): Phil Arkow will present "Connecting the Dots in Military and Civilian Families: Animal Abuse's Links to Other Family Violence" in a webinar for the <u>Justice Clearinghouse</u>.



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ABOUT THE NATIONAL LINK COALITION



The National Link Coalition is the only international educational and advocacy organization working to prevent animal cruelty, domestic violence, child maltreatment, and elder abuse by showing how they intersect. As the international resource center on The Link between animal cruelty and human violence we train multi-disciplinary professionals, showcase programs, and publicize legislation and research to foster collaborations that create safer communities by recognizing that when animals are abused, people are at risk, and when people are abused, animals are at risk. I.R.S. 501c3 tax exemption no. 92-2607909

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