Animal Abuse and Hoarding the Veterinarian’s Role

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Overview
1) What constitutes cruelty?
   a) CA P.C. 597
   b) Use the Five Freedoms to help guide you
2) The Link
3) When to bring in a veterinarian?
4) What can a veterinarian do for the case?
   a) Specific training as a veterinarian
   b) Specific training in forensics
5) What to expect as the veterinarian.
   a) Document, document, document
   b) Going to trial

What Is Animal Cruelty?
1) CA Penal Code 597 (a) “…every person who maliciously and intentionally maims, mutilates, tortures, or wounds a living animal, or maliciously and intentionally kills an animal, is guilty of a crime punishable pursuant to subdivision (d)”
2) Abuse includes neglect
3) The majority of animal abuse cases are neglect
4) CA Penal Code 597(b) “…subjects any animal to needless suffering... or fails to provide the animal with proper food, drink, or shelter...”

The Five Freedoms
1) Freedom from hunger and thirst
   Proper food and fresh water
2) Freedom from discomfort
   Appropriate shelter and environment
3) Freedom from pain, injury or disease
   Either through prevention or through rapid diagnosis and treatment
4) Freedom to express normal behavior
   Sufficient space, proper facilities, company of the animal’s own kind
5) Freedom from fear and distress
   Avoid mental suffering

   ASV Guidelines for Standards of Care in Animal Shelters
Why Does Animal Abuse Matter?
The Link
3 Key reasons it matters, carrot to stick
   1. The animal itself
   2. The people associated with that animal
   3. Veterinary professionals are mandatory reporters in some states, including California

What Does It Mean To Be A Mandatory Reporter?
1) Business and Professions Code, Division 2, Chapter 11, Article 2, 4830.7
   i) “Whenever any licensee under this chapter has reasonable cause to believe that an animal under its care has been a victim of animal abuse or cruelty, ... it shall be the duty of the licensee to promptly report the same to the appropriate law enforcement...”
   ii) (4830.5 reads similarly specifically re: dog fighting)

2) Mandatory Reporter: Protection 4830.7 cont’d
   i) “...No licensee shall incur any civil liability as a result of making any report pursuant to this section or as a result of making any report of a violation of subdivisions (a), (b), and (c) of Section 597 of the Penal Code.”

3) Mandatory Reporter: Failure to report, B&P Code 4831
   i) “Any person, who violates or aids or abets in violating any of the provisions of this chapter, is guilty of a misdemeanor ... punished by a fine of [$500 - $2000], or by imprisonment in a county jail for not less than 30 days nor more than one year, or by both...”

4) Mandatory Reporter: Who will know?
   i) The report is not anonymous
   ii) Do not provide personal information; use a business address
   iii) The investigator may not use your name initially and it may or may not be redacted in a public information request...
   iv) But it will come out if the case goes to court
   v) It’s okay to request a subpoena before providing any records
When to be suspicious (modified from Practical Guidance for the Effective Response by Veterinarians to Suspected Animal Cruelty, Abuse, and Neglect)

1) Organized fighting
   i) Characteristic wounds on head, neck, and legs
   ii) Characteristic wounds in mouth
   iii) Babesia gibsoni
   iv) Little or no preventative care for animals
   v) Client may not know how many animals are owned and their names

2) Non-accidental injury (NAI)
   i) Can present as anything (outward injury, internal injury, vague illness)
   ii) History is inconsistent with the problems seen, may change
   iii) Repetitive injuries
   iv) Other animals in client’s care injured or dead
   v) Only see young animals

3) Neglect
   i) Severely matted, overgrown or ingrown nails (especially if this is not the 1st time)
   ii) Poor BCS but owner declines Dx/Tx
   iii) Declines euthanasia and declines medical care for a serious condition
   iv) Excessive number of animals

4) Hoarding
   i) To be discussed by Dr. Yoffe-Sharp

NOTES:
Animal Hoarding
Dr. Bonnie Yoffe-Sharp

The AVMA has recognized that:
“Veterinarians may observe cases of animal abuse or neglect as defined by federal or state laws, or local ordinances.
When these situations cannot be resolved through education, the AVMA considers it the responsibility of the veterinarian to report such cases to the appropriate authorities.
Disclosure may be necessary to protect the health and welfare of animals and people.
Veterinarians should be aware that accurate record keeping and documentation of these cases are invaluable.”

What is animal hoarding? An animal hoarder is someone who:
• Has more than the typical number of companion animals
• Has shown an inability to provide even minimal standards of nutrition, sanitation, shelter, and veterinary care, with this neglect often resulting in starvation, illness, and death
• Displays a denial of the inability to provide this minimum care and the impact of that failure on the animals, the household, and human occupants of the dwelling

FAILS to provide minimal standards of nutrition, sanitation, space, and veterinary care
ACCUMULATES a collection of animals in deteriorating conditions
CANNOT recognize the negative effects their lack of care has created
DENIES the problems and deteriorated living conditions for both the people and animals involved

Hoarder Demographics
• 2/3 - 3/4 are women
• 2/3 - 3/4 are unmarried
• Hoarding begins in their 30’s, 46% are 60+ yrs.
• Generally well-educated, some college
• Many from care giving backgrounds
• All income levels but many on disability, retired, or unemployed
• Preoccupation with animals
• Takes up most of their time and money
• Little contact with others
• Social isolation

Reasons hoarders give for their actions:
• rescuing them from euthanasia
• special abilities to communicate with them
• unconditional love of animals
Warning signs of abuse:
- Severe signs of neglect—matted, dirty, overgrown or avulsed nails, etc.
- Heavy ectoparasite infestations
- Thin, emaciated animals with no apparent contributing medical or predisposing factors
- Chronic, untreated medical conditions
- Client utilizes several veterinarians
- Injuries to or disease noted in multiple animals
- Different animal each time
- Generally poor sanitation in environment—poor ventilation, poor lighting, feces and urine odor

Take into consideration:
- Number of problems
- Severity of problems
- Duration of problems

Reporting:
- Report suspected animal cruelty/hoarding immediately.
- Allow law enforcement personnel to confiscate.
- Report even if it is the first time you’ve ever seen the client.
- Report neglect—especially recurrent episodes involving subsequent animals.

Three Types:
- Exploiter hoarder
- Rescuer hoarder
- Overwhelmed caregiver hoarder

It is important to classify as they require different types of intervention. This is not definitive as some behaviors may overlap.

Environmental Concerns:
- Unsanitary and cluttered
- Accumulation of feces and urine
- Inhibited access within living area
- Dead animals
- Lack of working bathroom
- Lack of cooking facilities
- Waste-soaked beds
- Hoarding of inanimate objects

“Hoarded Animals are Typically Viewed as the Problem, as Opposed to a Symptom”

Removing the Symptom Will Not Solve the Problem!

Team Approach:
Animal hoarding requires a multidisciplinary approach to handle both the humans and the animals.
Animal hoarders often fall between jurisdictions of a number of agencies: mental health, public health, animal control, zoning, sanitation, etc.

**Law enforcement may be the only way to gain access.**
Cases are difficult to resolve. Resumption is common; high recidivism without appropriate interventions it is 100%.
26% of hoarders are eventually placed under guardianship, institutional care, or some form of supervised living.

**Mislabeling:**
- Animal Control / Humane Officers misidentifying hoarding
- Feral cat caretakers
- Breeders
- Over the limit pet owners
- Menageries / exhibits

**Key Points:**
- Cruelty
- Sanitation
- Zoonosis

Of all animal cruelty, hoarder cases are some of the most horrific. This is due to the amount of suffering which is so widespread and usually occurs over a longer duration. It is usually felt by hundreds of animals for months and months on end.

**Animal Health Concerns:**
The conditions the animals are kept in and the lack of veterinary care and lack of social interaction lead to serious neglect:

- Malnutrition
- Parasitic infestation
- Infection
- Disease

Dead or poor condition
URI, ringworm, mange, sores/abscesses with maggots, ear infections, starvation, and cannibalism
Contagious disease
Feral behavior/unsocialized
Inbreeding
Zoonotic concerns

**Sanitation:**
Hoarding is usually associated with an unsanitary environment. When animals are involved the risks are even greater.
Many of the hoarder dwellings have been condemned as unfit for human habitation.
In some homes the air is so polluted that it’s irritating to the respiratory tract (ammonia).
HOARDERS HAVE AN INABILITY TO RECOGNIZE DANGEROUS AND UNSANITARY CONDITIONS FOR THEMSELVES.

These conditions also pose health risks for responders:
- Disease exposure
- Lack of hand-washing facilities
- Parasites
- Injuries
- Poor lighting
- Crowding/debris
- Unsocialized animals
- Structural damage to dwelling
- Air quality
  - Ammonia
  - Particulate matter
  - Bio aerosols

Ammonia exposure:
Ammonia is a colorless gas with high water solubility that is produced by the decomposition of urine and feces.

Human occupational exposure limits set at 25 – 50 ppm. Concentrated animal feeding operations if run per industry standards measure <10 ppm. Shelters and kennels should be <1 – 2 ppm. Hoarder homes have been measured at ~>150 ppm. 300 ppm is IDLH (immediately dangerous to life and health) concentration – evacuate!
- Even less than 5 minutes of exposure could cause nasal irritation and dryness in people (health hazard)
- 25 ppm can be irritating to humans, hoarder houses have been documented to have up to 152 ppm
- However, people can adjust to noxious levels of ammonia and people with respiratory or heart conditions are more at risk and exposure can exacerbate any underlying conditions
- Ammonia tolerance can be lower in people with marginal kidney or liver function
- Ammonia toxins can create an inability to detect other toxic gases
- Ammonia from animal waste may be more potent due to enhancement by organic dusts

Bio aerosols and health:
Bio aerosols are complex mixtures of dust, microbes and their components, animal fecal products, vegetable products, animal dander, pollens, and other organic compounds.
Endotoxin, a component of cell wall of certain kinds of bacteria common in animal waste, is an important component of both airborne and settled dusts.
These components [endotoxin, peptidoglycan, B-glucan] have been associated with inflammatory airway disease in people.
Clinical conditions include toxic pneumonitis or organic toxic dust syndrome.
Cause fever, shivering, and flu-like symptoms after heavy exposure. Can also see joint pain, GI symptoms, fatigue.
Personal protective equipment:
- Gloves
- Gown or coveralls
- Eye protection
- Footwear – boots, shoe covers
- Caps
- Respiratory protection
- Hearing protection?
- All disinfectable or disposable

Zoonotic Concerns: Some of these include:
- Rabies
- Toxoplasmosis (cats)
- Salmonellosis (reptiles, birds, and farm animals)
- Psittacosis (birds)
- Cat Scratch Fever (cats)
- Ringworm (cats and dogs)
- Sarcoptic mange (dogs)

To reduce the risk of contracting these diseases follow these simple steps:
- Wear protective clothing (gloves, booties, masks and if necessary, respirators)
- Sanitize yourself
- Don’t bring these germs home to loved ones or pets

How to Proceed with a Suspected Hoarding Abuse Case:

Evidence Collection and Documentation:
What is evidence?
- Body of the patient (dead or alive)
- Lesions on the animal (pictures, etc.)
- Leashes, collars, id tags
- Anything that is found on the body, including dirt, traces of chemicals, bodily fluids, hair in the claws, etc.
- Evidence is everything connected with the case!!
- Medical records:
  - Radiographs, photographs, projectiles
  - Lab samples
  - Blood, urine, stomach contents, biopsies, etc.
  - Laboratory test results

The Chain of Custody of the Evidence: It is critical to maintain chain of custody of evidence, which is the ability to verify, with certainty, the identification and location of all evidentiary materials relevant to the case. This includes the animal, medical records, photographs, radiographs, etc.
Maintaining the chain of custody of the evidence:

- Limit access to evidence, including the victim, to key personnel only.
- Document the transfer of all physical evidence from your hands to the lab or an investigating agency.
- Notify laboratories in writing about court cases and obtain a signed and dated receipt for samples.
- Store evidence under lock and key
- Always refer back to the investigating officer

The Complete Medical Record:

The description of the victim must be: **specific, consistent and accurate**!

<table>
<thead>
<tr>
<th>Species</th>
<th>Weight</th>
<th>Breed</th>
<th>Distinguishing characteristics</th>
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<tbody>
<tr>
<td>Age</td>
<td>Name, if known</td>
<td>Sexual status</td>
<td>Microchip? Tattoo?</td>
</tr>
<tr>
<td>All colors</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

Record doctor’s initials and keep **LEGIBLE** records

Include complete history, physical exam, diagnostics, diagnoses, treatments.

Details of a **COMPLETE** physical examination, not just the abnormal values

The Documentation of Animal Abuse:

The successful prosecution of animal abuse cases often rests upon the proper preservation and documentation of the physical evidence by the veterinarian.

Documentation is the most important function of a veterinarian in an abuse case. The records must be **thorough, descriptive, and specific**.

Document the animal’s overall condition regardless of the reasons for presentation:

“A picture tells a thousand words.”

- Polaroid, videotape, digital camera
- Whole body photos with ID #
- Close-ups of specific lesions (with ruler)

Document the actual diagnosis. Consider and rule out by examination and diagnostics as many causes of the animal’s condition as possible.

Example: If an animal is emaciated, rule out such causes as dental disease, parasitism, malabsorption, etc. Dx: Malnutrition

Written report (for investigating agency):

Use specific language of applicable laws (Ex: “Needless suffering”)

Describe why a reasonable person would have known the animal was suffering. Examples:

- Fractured leg: *limping, crying, angle of leg*
- Severe dermatitis/pyoderma: *foul odor, oozing sores, alopecia*

The Physical Examination:

- Examine the animal thoroughly before making any conclusions.
- Evaluate the animal’s mental/emotional state and behavior, and note changes during hospitalization
- Evaluate the appetite
• Estimate % below normal body weight if underweight and % of dehydration if dehydrated
• Record initial weight and subsequent weights if hospitalized
• Note signs of neglect like filthy, matted hair, untrimmed, avulsed nails, untreated wounds, old scars, etc.
• Make note of unusual odors
• Broken teeth may be suggestive of starvation- eating rocks-or other abuse
• Body Condition Score

**Interdisciplinary Approach:**
Different private, municipal, and state agencies
  • legal
  • animal
  • human
  • environmental

Most effective way to reduce recidivism. Agencies Include:
  • Animal Control & Humane Societies are often first responders
  • Shelter vets & private practitioners
  • Local Law Enforcement and Fire
  • Human Health
  • Social Services (APS & CPS)
  • Code Enforcement
  • Legal Aid

**REMEMBER**
It will take a multi-agency effort to resolve these issues.
The role of the veterinarian in aiding in animal hoarding cases is a vital component in alleviating suffering, not only for the many animal victims, but also for potential human victims as well

**Resources:**

Hoarding of Animals Research Consortium
  [http://vet.tufts.edu/hoarding/](http://vet.tufts.edu/hoarding/)

What is the veterinarian's role?
1) May be the reporter of suspected abuse
2) May be the examiner of the alleged abused animal before or during the investigation
3) May be an expert witness
   • Often, will be all 3
Do I need a specific veterinarian? No, but….

1) All veterinarians have been trained in all species during 4 years of veterinary school
2) Many have more experience with certain species than others
3) Specialists have advanced training. May include:
   a) Special training with a specific organ (e.g. ophthalmologist, cardiologist)
   b) Special training with a subject (e.g. public health, forensics, shelter medicine)

When should I bring in a veterinarian?

1) Often, the sooner the better, but have a warrant
2) Some issues may be transitory (e.g. dehydration, fly eggs at a wound)
3) On-site at the crime scene
4) The veterinarian may recognize issues others may not
   a) E.g. Dehydration, signs of pain, significance of injuries
   b) E.g. Medications, human or animal
   c) E.g. Signs of poor husbandry and/or neglect
5) What do you see here? (photo courtesy Dr. Rachel Touroo, ASPCA)

The veterinarian on-site

1) Remember: if the area is a crime scene, get permission from the law enforcement officer (LEO) in charge before proceeding
2) Do a walk-through. This is especially important with large intakes such as puppy mills, organized fighting, or hoarders.
3) Assess for safety
   i) Physical dangers?
   ii) Zoonotic concerns?
   iii) Contagious to other animals?
   iv) What PPE is needed?
4) Take your own photos and/or videos
   i) Include a title board photo and an end photo
   ii) Use a digital camera if possible, but your smart-phone may be acceptable
   iii) “Forest to trees” or “street address” concept
5) Triage the animals
   a) This may be a visual exam or a physical exam depending on the number of animals involved, the environment (is the animal contained? is the environment safe?), and the personality of the animals.
   b) If it is safe to examine the animal(s)...
   c) Point out to LEO things that may otherwise be overlooked as evidence
      i) E.g. OTC fish medications that may be used off-label for puppies in puppy mills
      ii) E.g. Controlled drugs and other medical products
      iii) E.g. Paraphernalia used in organized dog fighting
   d) Get photos and/or videos
If you can’t bring a veterinarian on site...

1) **Take lots of photos and videos!**
2) A search warrant should include examination of the animals, collection of samples (e.g. blood, feces, hair, etc.), and testing those samples
3) Have the animals seen ASAP
4) Document as much as possible
   a) Any identifiers, e.g. collars, tattoos, microchips
   b) Weight
   c) Injuries
   d) Signs of neglect, e.g. matted fur, overgrown nails
   e) If it could change in a short period of time, try to document it
      ■ For example (http://www.myfoxdc.com/story/26066012/shelter-dog)
      ■ Severely matted dog:
      ■ What else should be done here?
      ■ Along with the photos, note:
         ■ The weight of the removed hair
         ■ Any odor
         ■ Any fecal material, foreign objects, plant material, or parasites in the hair
         ■ Any injuries to the animal caused by the matted fur
         ■ Any accidental injuries caused by the grooming
         ■ How long did it take to groom this dog
         ■ Any overgrown nails
         ■ Anything that could not be determined prior to grooming (e.g. gender)
         ■ Any obstruction of normal movement, e.g. legs that can’t extend or inability to defecate/urinate normally

Use protocol sheets
1) Keeps organization and consistency
2) Make your own
3) Many good ones online
   a) [www.aspcapro.org](http://www.aspcapro.org)
   b) [www.humanesociety.org](http://www.humanesociety.org)

Private practice vet:
1) Key points to remember...
   i) Your first priority is **always** the care of the animal.
   ii) The animal is property.
   iii) Do not proceed with any care beyond emergency stabilization without the owner’s permission.
   iv) If law enforcement is present, that may be different.
   v) Choose words carefully, e.g. NSF vs. WNL; medical protocol vs. standard of care
      The owner is present **and** gives permission
b) Proceed as you would for any animal presenting with this problem including diagnostics and treatment.
c) The moment abuse is suspected, call law enforcement
d) If the owner gives permission for additional work, that’s okay to do as well
   (1) May include extra rads, photos, DNA swabs, etc.
   (2) The owner may still be responsible for payment, not law enforcement.

2) The animal is presented by a good Samaritan
   a) Do emergency stabilization as usual.
   b) Do not do any diagnostics or treatment you would not have ordinarily done, solely for the purpose of searching for evidence.
      (1) Photos are great, and I recommend them as part of documenting any case with an unknown owner.
   c) Call law enforcement.
   d) Once they are on-site, they can direct further care or collect evidence.

3) The animal is presented by law enforcement
   a) Diagnose and treat the animal as usual, as the problem dictates, including emergency care.
   b) Law enforcement will let you know what else they may need done.
   c) Hopefully, they have a search warrant.
      (1) Oregon case

Written reports
1) If you have to write a report...
2) Make sure you would have written the same thing whether you were working for the prosecutor or the defense. Unbiased!
3) Write it for laypersons with medical jargon as needed
4) May want to include a statement at the end: “I reserve the right to make changes to my report if presented with any new evidence.”

Court
1) A Witness
   a) May testify on anything seen, heard, smelled, tasted, or felt personally
   b) May not testify on anything he or she did not personally experience
2) An Expert Witness
   a) May testify on anything seen, heard, smelled, tasted, or felt personally
   b) May also testify on other's information such as results from a study, or notes in a medical file written by another doctor

An expert witness
1) Role: to explain, educate, and clarify issues related to the case to the judge and jury
2) Qualifications: may be qualified based on education, training, or experience
3) An expert witness is vetted by the court at the start of the testimony
4) Expert witnesses do not represent either side; they are there to assist the court
   a) As such, neither attorney is the attorney for the expert witness
If you have to testify...

1) Request a subpoena to show to court
2) Make sure the attorney you are working with knows your history
   a) No surprises
3) Bring any notes, files, x-rays, etc. you would like
4) Answer questions slowly, carefully, clearly, and honestly
   a) Remember: “I don’t know” is a valid answer
   b) Answer just the question; add with caution
5) Discuss any concerns with the defense/prosecuting attorney ahead of time
   a) Note any problems with the case ahead of time
6) Request any opposing veterinarian’s documents for review
   a) May include medical records, statements for court
7) Offer to stay for the opposing veterinarian’s testimony?
   a) Court may not allow
   b) Can be a time issue

NOTES