# Ohio Animal Abuse Recognition & Reporting

## Ohio House Bill 33

- Dr. Allison Lash, OVMA AARR Task Force Chair
- Jack Advent, OVMA Executive Director

## Mandatory Reporting & Resources

- HB 33 Background
- HB 33 Provisions
- Existing Animal Cruelty Statute
- To Report or Not
- Common Scenarios
- Building Relationships with Humane Agents
- OVMA Resources to Help
- Questions ???

## Why HB 33?

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## Pathway to Law

- ✓ Introduced February 2,2019
- ✓ Passed House 89-2 June 2020
- ✓ Passed Senate 31-0 Dec 2020
- √ Governor signs January 6, 2021
- √ Becomes law April 6, 2021
- Early version problematic
- The ethical responsibility
- Correlation human -animal violence
- Includes social services & dog wardens
- Most other states address



John F. Walter Control Lander Hubble Reference of Service



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#### Abuse Reporting Requirements by State

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## HB 33 Key Provisions



- Immediately report suspected animal abuse [ORC 959]
- Applies to companion animals
- Report to an officer as defined ORC 959.132 (A)(4)- a human agent, law enforcement, animal control
- Report can be orally or in writing [ORC 959.01 (A)(1)]
- Description of animal, owner contact info, nature of suspected abuse, other relevant info

- Report made in "good faith" extends civil and criminal liability immunity to DVM who reports [ORC 959.09 (B)]
- Failure to report reviewed by OVMLB
- First violation a confidential warning, second \$100 fine and subsequent \$500 fine [ORC 4741.22 (C) (D)]
- Obligation is to report in good faith on your direct medical observation and not to prove.

## Animal Cruelty Statute ORC 959

- ORC 959.01 Abandon an animal
- ORC 959.02 Maliciously kill or injure
- ORC 959.03 Willfully poison
- ORC 959.13 All animals: Torture, starve, cruelly beat, mutilate, kill, impound without food/water/shelter
- ORC 959.131 Companion animals: Torture, torment, mutilate, serious physical harm, other acts of cruelty, deprive food/water/shelter - cause sickness or suffering. Allowances for research, veterinary medicine, hunting /filed trial purposes and common training devices

## Animal Cruelty Statute ORC 959

- ORC 959.15 Animal fighting in general
- ORC 959.16 Dog fighting
- ORC 959.21 Sexual conduct with an animal



## HOUSE BILL 33 MANDATORY REPORTING OF ANIMAL ABUSE

I'm a veterinarian - what does this mean for me?

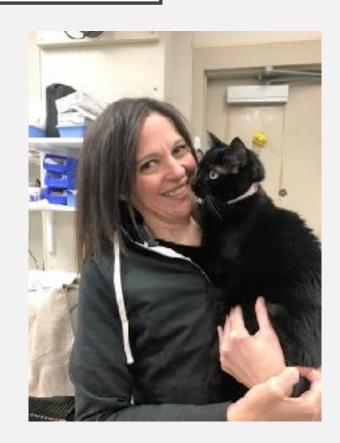
## ALLISON LASH, DVM

- Medical Director, Cleveland Animal Protective League
- 10+ years Shelter Medicine
- Private Practice, Emergency Relief Work

At home: 2 kids, 5 cats, 1 guirageis

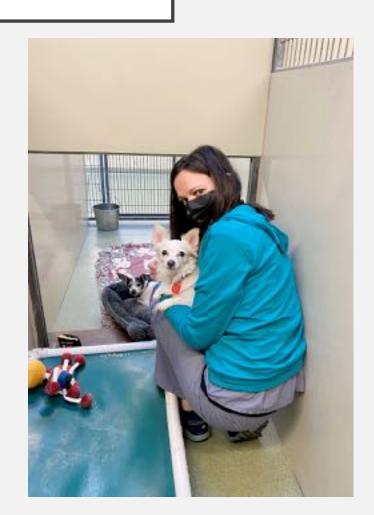
fish, chickens, bees





## ALLISON LASH, DVM

- My work at the Cleveland APL
  - Shelter Veterinarian (individual health, herd health)
  - Administrative Duties
  - Outpatient, income-qualified, community pet care (project CARE)
  - Surgery
  - Forensics

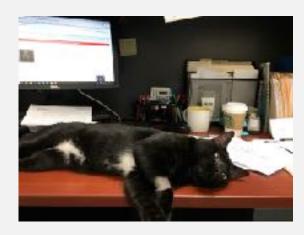


## **HB 33**

 https://search-prod.lis.state.oh.us/solarapi/v1/general\_assembly\_133/bills/hb33/EN/05? format=pdf

### Expands cross-reporting of abuse of both animals and people

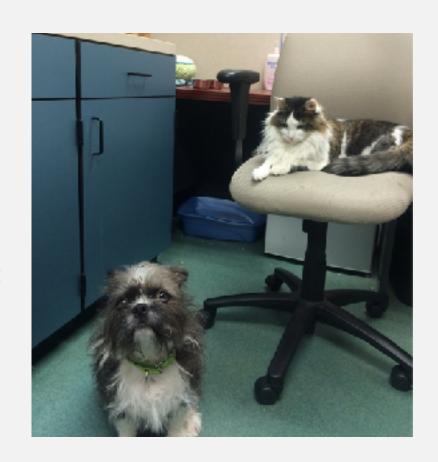
- Prohibits veterinarians and specified social service/counseling professionals from failing to report abuse of a companion animal (a dog, cat, or animal other than livestock/wildlife that is kept in a residential dwelling)
- Similarly prohibits a law enforcement officer, humane society agent, animal control officer, dog warden, or deputy dog warden from failing to report abuse of a companion animal to an appropriate social service professional under specified circumstances
- Specifies that a person required to make a report is immune from civil or criminal liability in connection with making the report when the report is made in good faith
- Adds dog wardens/animal control officers to the list of professionals who must immediately report child abuse



## OHIO REVISED CODE 959

## Offenses relating to domestic animals

- 959.01 Abandon an animal
- 959.02 Maliciously kill or injure
- 959.03 Willfully poison
- 959.13 All animals: cruelty/neglect
- 959.131 Companion animals: cruelty/neglect
- 959.15 Animal fighting in general
- 959.16 Dog fighting
- 959.21 Sexual contact with an animal



## OHIO REVISED CODE 959.131



- (B) No person shall knowingly torture, torment, needlessly mutilate or maim, cruelly beat, poison, needlessly kill, or commit an act of cruelty against a companion animal.
- (C) No person shall knowingly cause serious physical harm to a companion animal.
- (D) No person who confines or who is the custodian or caretaker of a companion animal shall negligently do any of the following:
  - (1)Torture, torment, or commit an act of cruelty against the companion animal;
  - (2) Deprive the companion animal of necessary sustenance or confine the companion animal without supplying it during the confinement with sufficient quantities of good, wholesome food and water if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the deprivation or confinement;
  - (3) Impound or confine the companion animal without affording it. during the impoundment or confinement, with access to shelter from heat, cold, wind, rain, snow, or excessive direct sunlight if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the lack of adequate shelter.

## OVMA ANIMAL ABUSE REPORTING TASK FORCE

- Committee of one Social Worker and DVMs from various backgrounds (shelter, ER, academia, consulting)
- Work preceded passing of HB 33
- Documents include recognizing and reporting equine, large animal abuse

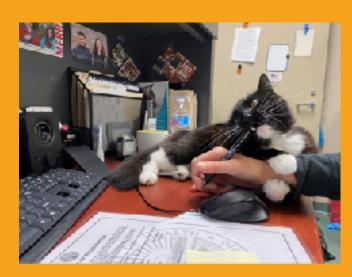


## Today:

- Recognize, Record, Report suspected animal abuse
- Case Studies
- Expert Report Examples



- The terms animal cruelty and animal abuse will be used interchangeably in this presentation.
- Animal cruelty is a legal, not a medical, determination.
- By reporting suspicions to law enforcement, the veterinarian has the ability to protect both animals and humans.
  - https://nationallinkcoalition.org/



Questions to keep in mind during suspected cases of animal cruelty:

- Is there unnecessary discomfort or suffering?
- Would a reasonable person have been able to tell there was a problem?
- Is there reasonable remedy or relief?
- Are the owners/caretakers following agreed upon plan?



## ANIMAL ABUSE RECOGNITION & REPORTING

https://www.ohiovma.org/veterinarians/resources/abuse.html

## ANIMAL ABUSE recognition & reporting

developed by the Chic Veterinary Medical Association



## CLASSIFICATIONS OF ANIMAL ABUSE



## CLASSIFICATIONS OF ABUSE

### 1 Simple or Gross Neglect A

- The most common form of abuse encountered by veterinarions.
- Typically results from failure to provide for basic needs such appropriate diet, shelter, or sanitation.
- Examples: Failure to provide necessary medical care, starvation, animal hearding, embedded collars, extreme matting.

### Intentional Physical Abuse & Torture A

- Non accidental harm is perpetrated in anger, for personal enjoyment, or to intimidate others.
- Examples: Blunt force trauma, poisoning, scalding or burning, projectile trauma.

### Torganized Animal Abuse A

- Animals are intentionally fought against each other incompetitive bloods port events.
- · Examples: Dogfighting, cockfighting.

### Sexual Abuse, Bestiality, & Zoophilia .

- Contact of the anus or genitalia with body or object, which may or may
  not result in physical injury to the animal.
- Examples: Fondling, mast urbation, penetration.

#### 6 Ritualistic Abuse

- Hilling and/or mutilating on animal as part of a religious coremony, often related to occult ideology.
- · Examples: Blood letting, dismembering, hanging,

### @ Emotional Abuse

- Deliberate actions or inactions intended to inflict emotional distress.
- Examples: Social isolation, unpredictable/excessive violance intermixed with threats of violence that do not result in physical horm.

A Nationally reportable by law enforcement agencies to the HSL

4 seasonal description and above or neglect is among into make a region (Mo. may always out the appropriate is, more agency for consultation if you are unduly whether a report to warranced.



## Many forms of animal abuse:

 Veterinarians encounter many forms of animal abuse, from minor neglect to malicious harm

## Educate or Report:

- When education fails or when intentional abuse is suspected, report
- When there is reasonable belief the animal will go without care, report



## COMMON PRESENTATIONS



## COMMON PRESENTATIONS



Some injuries and illnesses presenting to a weterinarian may raise suspicion of abuse, especially if they are inconsistent with the provided history. Veterinarians should report them when they have a reasonable suspicion, so that the proper authorities can investigate, rather than waiting until they feel they can prove a case. The investigation is greatly improved when veterinarians are aware of what to look for and what to document when abuse is suspected.

### Common Presentations (See next page for detailed chart)

- · Abrasions or Bruising
- · Asphyziation by Ligature
- Burns
- Dogfighting
- Drowning

- Drugs/Poisons
- Embedded Collar
- Eye Injuries.
- Feet injuries
- Gunshot Wound

- \* Head Irsums
- Internal Injuries
- Knife Wounds
- Repetitive injuries
- Starvation.

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## NON-ACCIDENTAL INJURY

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## Injured/sick animal

First Question: What Happened?

My dog/cat was HBC
My dog/cat was attacked by a
My neighbor poisoned my dog/
cat

Our job: Figure out what really happened



http://pghspayvac.com/feeding-feeral-cats-racoons/

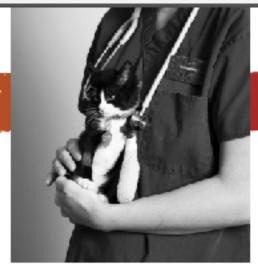
## DOCUMENTATION



### DOCUMENTING ANIMAL ABUSE

In addition to your typical medical recordkeeping, consider adding the following details to your documentation when you suspect animal abuse.

Note: See pages 14 to 17 for sample reporting forms.





#### Identify the person(s) bringing in the animal.

- Determine their relationship to the animal.
- . Document where the animal primarily resides and with whom:
- · Record their contact information (first and last name, address, phone number, etc.).
- Find out who else was recently around the animal and/or had access to it.



#### Describe the animal.

- . Include sex, age, breed, color, microchip, etc.
- Unless known, wold noting the animal's exact age and bread.
  - Instead, provide an age range, use "appears to be," and/or add "type" to the breed.
  - eg\_Appears to be \$6\$ years of age, pit bolb type dog.



- · where possible, record the account in their words.
- Note any all of the following:
  - · Changes to the story over time.
  - · If the story differs between the people present.
  - If the account does not match the clinical findings.
- Use name(s) of anyone with whom you communicate (a.g., "Mr. Jones" or "The owner, Frank Jones").



- These could occur between the people present and/or between the animal and the people present.
- Look for signs of fear or deterence.



### Be thorough in the description of examination and diagnostic findings.

- Don't just focus only on the presenting complaint. Look for and record all abnormalities, as well as relevant findings that are within normal limits. (e.g., Bruising location, size, color, and whether centouncture site clotted normality)
- You may want to include a detailed assessment of your findings, possible differential diagnosis for
  the abnormalities, and how the examindings may affect the comfort and well-being of the animal.

b

A reasonable cuspicion of abuse or neglect idenough to make a report, not may always call the appropriate harrane agency for consultation. It you are unasterwhether a report is werenfed.

## DOCUMENTATION



- Photograph injuries as thoroughly as possible in the situation.
  - Also record measurements and diagram the locations for your records.
  - Note: Photography is frequently used in practice to document injuries for verification of appropriate response to treatment, so this can be part of your normal recordinging procedure.
- Look for and record evidence of chronicity and/or repeated injuries.
  - · For example, evidence of chronicity may include an embedded collar or emaciation.
  - Examples of repeated injuries include tractures that are healed or in various stages of healing.
- Save physical evidence.
  - This may include things like an embedded collar, bullets that were surgically removed, a stick and tage used to solim a fracture, or hair cloped from around a burn.
  - · A paper bag works best for most items.
- Becord your medical recommendations, including any the owner declines...
  - Obtaining a signature on your treatment plan is ideal.
  - Retail any education you provided to address issues that could worsen it not managed appropriately.
- Document all follow-up.
  - Including communication that occurs by phone, small, or office visit.
  - Make note of any appointments that were missed or cancelled.

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### **Five Key Considerations**

Remember: Animal cruelty is a legal, not a medical, determination. As you move forward in developing protocols for reporting animal cruelty, keep the following considerations in mind:

#### 1. Safety first

Never compromise the safety of humans or animals. If you are concerned and there is a feeling of risk or harm, call 911.

#### 2. Treat the animal

If the animal is neglected or abused, you need to collect and document the evidence — but do not compromise the timely treatment of the animal (Balkin, 2007).

### 3. You are not the judge or jury

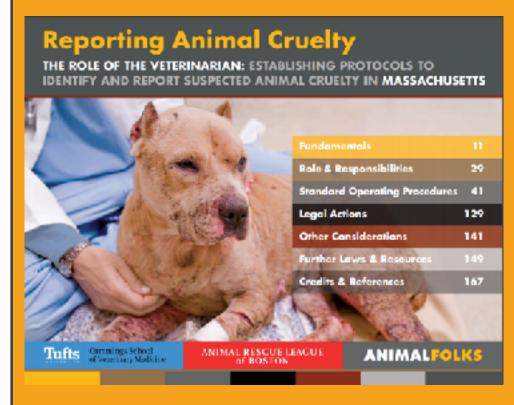
Veterinarians are health professionals, and what is required of you (professionally, ethically, and legally) is to report suspected or known animal maltreatment. Bo not determine if a case is neglect, cruelty, or abuse — that is for law enforcement to investigate, the prosecutor to prove, and the jury or judge to decide. Reporting does not mean the person is going to be thrown in jail or even charged. Reporting allows other authorities to investigate the incident further to make sure the animal in question — and other animals and humans — are not at risk of harm.

#### 4. Avoid bias; be impartial

It is the veterinarian's responsibility to make an accurate and truthful determination of the animal's health (Reisman, 2012). Avoid any bias, and document the medical facts. Industry standards, or a client's economic status, age, ignorance, or other factors may be used by the defendant as excuses for his or her behavior, but these factors should not be used by a veterinarian in assessing an animal's health.

#### 5. This is not an exact science

Identifying and recognizing animal cruelty may not be an exact science, but it is a science. This is why a veterinarian's medical expertise is critical. A standard approach of "what to do and look for" in all cases is helpful, but each case will be unique.



Do what you are already trained to do!

You are the animal medical expert!





## RED FLAGS



## RED FLAGS OF ANIMAL ABUSE

The following red flags may raise the level of suspicion that abuse is occurring, and warrant further inquiry or reporting to the proper authorities. However, none of these alone constitutes proof of abuse.

#### small animal

#### History & Client Interaction

- The medical history is vegus, changes during the chit, and/or differs between family members.
- The history does not reasonably match what you see on the physical crample g<sub>y</sub> a fail from the bed cousing multiple fractures in the read finite).
- Bisplaced priorities that seem to smid the primary concerning, paking about this prevention when discussing treatment for a fractural.
- Clients who say their pets are "eccident-prone" (e.g., multiple occidental injuries to the same or multiple pets).
- Refusal of pain medication and/or basic care.

#### Evaluation & Diagnostics

- Chronic, untreated medical problems (e.g., external parasites, wounds, turnos, motifico).
- New injuries that present with older injuries in various stages of healing.
- Evidence of multiple healed wounds, sears, fractures, etc.
- Poor body condition, weakness, chronic lameness.

- + Delayed treatment.
- Prequent turnover of pets, which may come and go without much explanation.
- Known or suspected family and/or partner (domestic) violence.
- + Owner admits to injuring the animal.
- Owner brings many animals in, typically when they are in orbit or with conditions year in highdensity cettings (UR), KC, NEX, diamina). The pet or client may small of old unine or corrected.
- These may be indicators of heading (large non-be sufaritinals beyond capacity to provide bosic care).
- · Injuries localized to the head, bilateral rib fractures.
- Note HBC tends to cause clin abracion p'degloving, pulmonary contucions, pneumothorax, hind i mio injunes, unilatoral no fractures.
- Animal may even fearful of the owner and/or relieved when away from the owner.

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## Non-accidental Injury Suspected

## Case:

- 4-month-old Pitbull x puppy
- Routine bath 2 days ago





## Neglect Suspected

## Case:

- Adult Pitbull x
- Left in a hot car





## **FIGHTING**





#### during the exam ...

- Ask open-ended questions.
- elel melos he/demas nigred. Can you describe what reported in
- What do you think caused the injury? Question the narrative from several. arges and document high consists. tentioned inconstitions resources.
- If didder and other members of the temperapresent, askithen a they have anything to add about how the rgines incorred.
- «Libbe, eskillese greations individual
- If not possible, let their know they car contact you at a later time.
- may be cartisk if they give a different (e.g., how many petalane is the home). and campare to soliting records.

### dogfighting

#### History & Client Interactions

- . Pays for vervious in cash.
- Boasts of veterinary medical knowledge and/or states they salt-vaccinate dogs.
- Requests wound care medicines and/or antibiotics
- Evades exessions and/or is reluctant to provide. specific details.
- Behavior may be passive.
- Demoveral ptibulitaries.

#### Byslustion & Disgnostics

#### Appearance

- Possibly cropped cors.
- Blunt, broken, or missing beeth.
- Dogs may be thin (DCS2-4/8) yet well muscled.
- Pit bull terrier breed, typically emailer and agile.
- Heavy leather or logging chain collar.

#### Common injudes:

- Significant wounds and/or scarring to front legs, torso, neck, face, and ears.
- Wounds are typically puncture wounds or firing. lesions" (discompribling two undergoinally seen on the Noshs).
- Wounds and/or fractures in various stages of ... healing, indicating dog may have been fought. more than once.
- Abrasions on paw gods.

#### Other Stars

- Animal may test positive for Robeciesis.
- Animal's behavior may be aggressive while the human is passive.



#### cockfighting

#### History & Client Interactions

- . Pays for services in cash.
- Has castorrized wood transport box.
- Boarts of veterinary medical knowledge.
- Reguests testesterane prother performance. enhancingsalistance/stimulants.
- + Evades questions and/or is reluctant to provide specific details.
- May have a disproportionate number of roosters. with level on others.

#### Brivtronment & Assessment

- Certain feathers (tail feathers, wing primaries, back, ventral feathers) are trimmed or removed.
- Wounds and/or scarring consistent with stacking (knives) or puncture (galls). Primarily located onthe local.
- Combs and wattles and earlibles removed.
- . Natural sour removed, out down, or sharpened.

A reasonable amplition of alterar or region this energial tomake a report. You may always call the appropriate hymony agency for consolication (Type any sense resolution a report to manufacture).



## Dog Fighting:





### dogfighting

#### History & Client Interactions

- · Pays for services in cash.
- Boasts of veterinary medical knowledge and/or states they self-vaccinate dogs.
- · Requests wound care medicines and/or antibiotics.
- Evades questions and/or isreluctant to provide specific details.
- · Behavior may be passive.
- · Owns several pit bull terriers.

#### Evaluation & Diagnostics

#### Appearence

- Possibly cropped ears.
- . Blunt, broken, or missing teeth.
- Dogs may be thin (BCS 3-4/9) yet well muscled.
- · Pit bull terrier breed, typically smaller and agile.
- Heavy leather or logging chain collar.

### Common Injuries

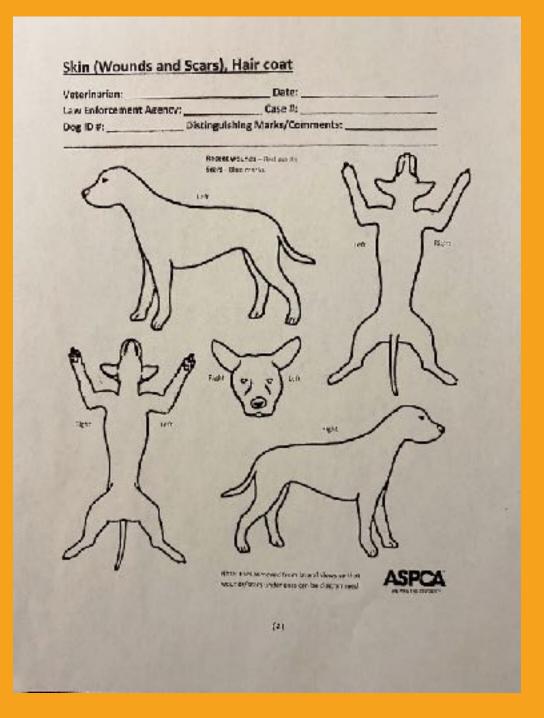
- Significant wounds and/or scarring to front legs, torso, neck, face, and ears.
- Wounds aretypically puncture wounds or "ring lesions" (circumscribing wounds typically seen on the limbs).
- Wounds and/or fractures in various stages of healing, indicating dog may have been fought more than once.
- · Abrasions on paw pads.

#### Other Signs

- · Animal maytest positive for Babesiosis
- Animal's behavior may be aggressive while the human is passive.



## Dog Fighting:



## ACCIDENT OR ABUSE?



There are many types of injuries associated with blunt force trauma, and it can be difficult to distinguish between the various causes.

injured pet and those who do larger but don't want. to dealge the conservoy tells etechnicy staff that the animal was highly a car.

Hon-accidental injuries (HAI) are the result of very shallor to those sesta hed in a motor schiele accident (MW). Distinguishing accidental from non-

Both clients who do not know what happened to their — socidental injuries can be challenging and may not be possible based on physical signs alone.

Accome familiars it the specific findings expected. from rommon accidental injuries and paycaseful. attention to the history and narrative to see lifthey are Interitional harministical organizational analysis look. Consistent with the presentation. While none of the following are definitive proof, some liquides are more: commonly associated with NAI or MNA than others.

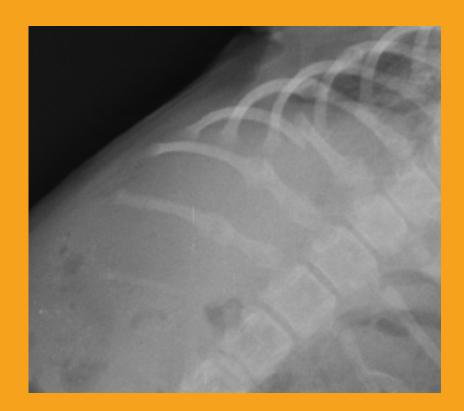
Shelligh	Motor-Voluble Assistant (MVA)	Non-Ameldonial Injury (NAT)
Abrasions	Gurally present front rady)	Usa ally alrested
Prayed state.	Guardy present.	that ify about
intrathoracic trauma	Intrafected cinjury (preumorhose, palmonary contracted more common than a a feeture; sheritating in partiana.	Ribifradures common with NH blunt force in any due to smaller model wice
Prictane - Ribi	Typically unlisteral. When multiple are present, they are usually ris above. I would nis free times are more common.	Can be unliaberal, but billateral is changly say grather of HAL bisconnast, excellate at them. The can be both or an at and a social
Fracture - Other	Peluls, long tones.	Long Bones, die II, beschivertabnas Precience odder frach seine common
Lacation of tractions.	Guardy cramation could multipulis.	Const or could footh a aggestive of RAI;
Other trips in.	Deglacing sounds, differed deland is moved ( wounds).	Head injuries, sales I have sellage, that age to shows.
Loosbon	Misson's typically latest or offerde and ner- alial or opposite due to contact with the ground	
Timing	Injuries at same stage of healing.	Multiple Injuries at various stages of healing
Death	Accidental blant face injury intopically confined to one plane white body.	Received or protected areas of the body.

A reasonable suspicion of showe or regisers in arrough sometic a report, not may always callabe. page spelate for many agency by mornaul allow. If you arroy on what he a report is mor serious.

## Non-accidental Injury Suspected

## Case:

- 2.5mo old Boston Terrier
- Reported HBC





## Non-accidental Injury Suspected

## Case:

- Adult cat
- Reported physical abuse



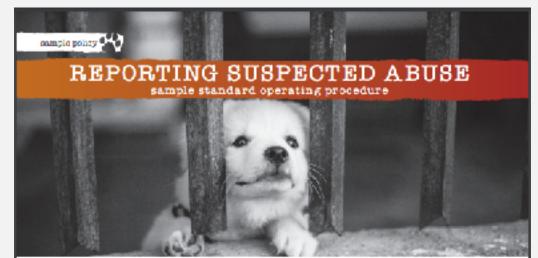








## REPORTING



The veterinarian's legal responsibility to report suspicion of animal cruelty and neglect varies by state. While one may not be legally mandated to report abuse, the veterinarian's ethical and moral responsibility is different. Based on the following, the CVMA encourages the reporting of suspected animal abuse.

### POSITIONS ON REPORTING

#### American Veterinary Medical Association

"The WMA recognizes that vectrinarians may observe cases of animal abuse or neglect as defined by federal or state laws, or local ordinances. The AMMA considers it the responsibility of the veterinarian to report such cases to appropriate authorities, whether or not reporting is mandated by law. Prompt disclosure of abuse is necessary to protect the health and welfare of animals and people, Veterinarians should be aware that accurate, threely record keeping and documentation of these cases are especial. The AMMA considers it the responsibility of the veterinariants educate clients regarding humans care and treatment of animals."

Notice of the Communication of

#### American Animal Hospital Association

AAHA "supports reporting of suspicions of animal abuse to the appropriate authorities."

signer https://www.saha.org/clbout.caha/toka.pecition.tottomeest/lanimal.abs.se-recording/ijet/feved April 2829

Being admitted to the profession of veterinary medicine, I solemnly swear to use my scientific knowledge and skills for the benefit of sodety through the protection of animal health and welfare, the prevention and relief of animal suffering, the conservation of animal resources, the promotion of public health, and the advancement of medical

knowledge. - The Wax incrian's Outle

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## REPORTING





### HOW TO RECOGNIZE

Every situation is different, and it may not always be possible to differentiate accidental injury from intentional injury or to determine whether neglect is severe enough to constitute cruelty. The veterinarian does not need proof of above; especifical shauld according to the need proof of above; especifical shauld according to the need of the second of the secon

#### Possible findings that may suggest abuse, cruelty or neglect:

- Abandonment of animal.
- Animal lighting.
- Dophghting: Numerous bits wounds and/or bits
  wounds in venous stages of healing and/or overlapping
  spars typically localized to head, neck, and from lags.
- Eachinghting I cathers trimmed or removed; head injuried conditioners with distribution procuracy combo, watting, and san lober removed; natural spursemoved, or district, or show the left.
- Animal hourding.
- Embodded collar
- Extreme emodiation with no clear medical reason.
- Injuries and/or conditions (eg., wounds, lesions, fractures, burns, or patches of missing hold without a reasonable explanation.

- Grooming, inadequate jestreme metting of fur, overgrown noils, and/or dirty codi)
- · Multiple injuries in various stages of healing.
- Physical abuse of/harm to an animal.
- This could be witnessed by staff, or
- Action reports he/she caused harm.
- Severe parasite infestation (fee, tick, progoots).
- Secural abuse of an animal.
- Suffering caused by ongoing injury or illness that isn't being treated
- Unexplained injury(ies) that don't match history provided by owner.
- Unsuitable housing feigl, dogs repeatedly left alone without food and water, choined in a yould without proper shotter, flostifics, beat strake, etc.)

### PROPER DOCUMENTATION

- Using an abuse reporting form will ensure you capture all relevant information. Your homene agency may have one for you to use, or you can customize your own.
- See Scraple Abuse Reporting Forms, pages 14–17.
- The reporting form should be kept as part of the medical record.
- Fie aware that your documentation may become part of a legal record.
- Write concise, fectual information (what you see and observe).
- Always have a second witness present during discussion with the owner (client) and document the witness' name.
- Document suspicions clearly and provide any evidence you have to support your assessment.

- . Sive dates and approximate times when possible.
- Include owner's explanation of how the injury or condition occurred and any comments about the altuation. Note whether this matches the animal's presentation and/or whether there were conflicting versions of the history presented.
- Document observations of interactions between tamily members and children
- Summarize a thorough physical exam, even it findings do not seem to relate to the problem of concern.
- Take photographs if possible/when applicable.
- Include x rays, previous records, and lab work.

Commissed a PDP and Jones itable mestion of this document makes at some obligance on plateau.

# Animal Hoarding Suspected

## Case:

- 2 yr old M DSH
- Presented for URI



### Cat

- URI
- BCS 2/9
- Filthy fur
- · Odor of urine/excrement

### Owner

- Odor of cat urine
- Filthy carrier
- Rarely brings the same cat
- Unknown number of cats





# **Animal Hoarding Suspected**

- We are not the animal numbers police
- Is the owner capable of caring for the animals they have?





# **Animal Hoarding**





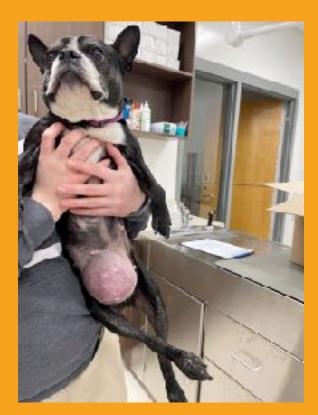
- Accumulates a large number of animals
- Fails to provide even minimal standards of husbandry and veterinary care
- Fails to act on the deteriorating conditions of the animals or environment, even if the animals are starving, diseased, or dying
- Fails to act on the negative impact of the hoarding on his or her own health and wellbeing and that of other household members.

Definition from Hoarding of Animals Research Consortium

# Do I report these?







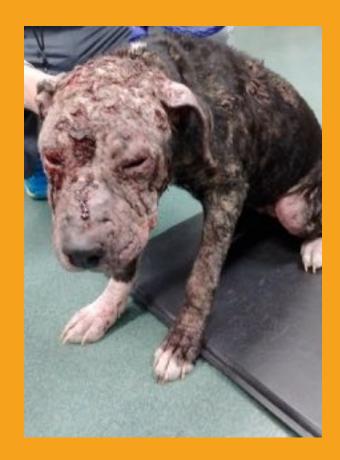






# Do I report these?







# Do I report these?







## REPORTING



### REPORTING ABUSE

#### Situations where reporting is warranted after consideration

#### Client refuses to euthanize and/or leaves against medical advice (AMA).

- Refusal to outhanize alone is not grounds for a report of medical neglect. Nany owners choose not to euthanize for a variety of reasons (cultural, moral, religious).
- If an owner does not wish to cuthonize, they need to provide a level of care that ensures the animal is not experiencing pain or subtring.
- However, refusal or inability to provide appropriate management of pain and/or suffering may be a reason to report medical neglect.
- BOTTOM LINE: A call to the humane agency is encouraged in cases where suffering is not alleviated.

#### Owner admits that they caused harm to the animal, but is seeking medical services.

- It is common opinion that a report is not required because the owner has taken responsibility and brought their animal in for treatment.
- However, admitting that one caused harm and seeking medical case after the harm has occurred.
   DOES NOT NEGATE the above or neglect.
- Injuries, especially blunt trauma, may be indicative of a larger abuse problem (i.e., domestic violence)
  occurring in the household.
- BOTTOM LINE: If a person purposely causes harm, a report to the humane agency is warranted.

#### Client is uneducated about proper animal core.

- A lack of education regarding proper animal care commonly underlies many cases of neglect.
- In such instances, it is appropriate to educate the client about their animal's physical and emotional needs.
- Clearly document the discussion and your recommendations in the patient record.
- BOTTOM LINE: A report to the humane agency is warranted where
- The owner claims he/she "just didn't know any better."
- The owner returns to the clinic and has deregarded your recommer dations.
- The owner does not return, in this case, you are permitted to call the humand agency and request
  a "well check" to the client's residence.

#### Cultural differences.

- There may be cultural differences that a client may use to explain or excuse choices made regarding the animal.
- While it is important to be aware of and respect other outures, the priority is the health and safety of an animal.
- BOTTOM LINE: if you suspect abuse, a report to the humane agency is warranted.

Dominada PDF and in uditable ne Von of this dominant on the at www.obtomia.org/allose.

T

# Leaving against medical advice (AMA)

...and/or unable to pay for

care

...or refusal to el

- May leave without care, and AMA, for a variety of reasons
  - Can't/won't afford treatment
  - Don't agree there is a problem
  - Doesn't agree with treatment plan
  - Cultural or religious differences regarding treatment plan



# Leaving against medical advice (AMA)

...and/or unable to pay for

## care

...or refusal to euthan

# The money issue...

- Present a variety of treatment options
- Know local resources
  - Assistance programs, low cost options, shelters
- Check to see if they went where they said they were going
- See if your practice can offer financing for cases where care can't wait (pyometra, parvo, fractures)



You have done what you can and still have reasonable belief the owner will not seek care resulting in the animal experiencing unnecessary pain or suffering, report.

# Leaving against medical advice (AMA)

...and/or unable to pay for

## care

...or refusal to euthania

## The euthanasia issue...

- Refusal to euthanize alone is not grounds for a report of medical neglect
- Many owners choose not to euthanize for a variety of reasons (cultural, moral, religious).
- If an owner does not wish to euthanize, they need to provide a level of care that ensures the animal is not experiencing pain or suffering.
- However, refusal or inability to provide appropriate management of pain and/or suffering may be a reason to report medical neglect.



You have done what you can and still have reasonable belief the owner will not seek care resulting in the animal experiencing unnecessary pain or suffering, report.

## REPORTING



### Process for Reporting Suspicion of Abuse, Cruelty, and/or Neglect

- Using an animal abuse reporting form will help you capture all the relevant information.
   In See the DMA Sample Abuse Reporting Forms on pages M-17.
- If you do not use a form, have the following information available when you make the report:
- The exact address of the owner's residence.
- The syact address where the abuse/neglect occurred.
- The exact location where the animal is located now.
- If able, provide lawer forcement, with the name, and contact information of other people who
  have firsthand information about the abusive shapter.
- Contact the humane society or humane agent in the county where the abuse occurred.
- In your documentation, record/include the following:
- The agency and/or name of incividual you contact.
- Bate(s) of the contact
- Copies of pocuments you provide to law enforcement or animal control.
- The content and outcome of your discussion.
- A humans spent may sak for records, Legally, you should not release these without permission from the owner or a subposes or court order.

REMEMBERS A reasonable suspicion of abuse or neglect is enough to make a report. You may of your coff

- However, records may be shared without permission if the information has potential humanhabit implications (e.g., child abuve, animal bitss).
- The practice owner, manager, and/or hospital director should be notified when a report is made.

the appropriate horsone agency for consultation, if you are unuse interfer a report is reconsisted.

Additional Proceediumes / Notes:

Download a FBF and/or epitable version of this document online at www.chicoms.org/ebuse.

1

# REPORTING

https://nationallinkcoalition.org/how-do-i-report-suspected-abuse/



page 1 of 3 additional documentation to

### SUSPECTED ANIMAL CRUELTY REPORT SMALL ANIMAL CUNIC NAME AND CONTACT INFORMATION: ANIMAL INFORMATION Name/Identifications Special/Breed: DOS/Age: Sec: □ Male □ Pernale Intact: □ Vec □ No OWNER INFORMATION Name (Last, First) Email: Phones Name (Leef, First) Address Phones Email: INCIDENT DETAILS Dyty/Time: REASON FOR REPORT (Check oil that capits, and old explanation with parameter detail as possible below.) Abandonment of animal Multiple injuries in various stages of healing. Dog flighting (e.g., numerous bits wounds in various stages.) Owner/other person reports causing harm (self-disclosure). of healing and/or overlapping scars localized to head, neck, ... Parasite infestation, severe (e.g., fica, tick, mylasis) and/or front lags) Person struck or caused physical/sexual harm to animal. □ Extreme emociation without apparent medical reason. Suffering caused by ongoing, untreated injury or illness. ☐ Bloarding (e.g., signs that the owner may have more... (e.g., embedded collar) animals than able to adequately care for). ☐ Unexplained injuries that do not match owner history Greoming, severely inadequate (e.g., extreme matting of fur, overgrown neith, clirty cost) DESCRIPTION OF CONCERNS Bown and a PDF and/or epitable version of this document on the at www.oblowns.org/abuse.

page 2 of 2 contact Information & Incident details 35

Medical records a									
	attached? 🗆 ves 🗆		hotographs taken? Location of photog						
HYSICAL EXAM	WWL = Within Worma								
General .	Weight	temp							
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Fars	OWN								
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AD	Dirty/Odor/Hypert	rophy Mild/Moderate	a/Symene						
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Mouth/Teeth	O WAL	Cl Ginglvitis	CI U cor	□ Tartor	□ Broken	/Loose Teeth			
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	% underweight	Body	Concition Score						
Person giving comm	munication:	Please ensure docum							
REPORTING Agency report mad	munication:	_ Tie	Person receiving of Person tal	mmunications		Verbal/Phon			

page 1 of 2 add Nonel documentation 39

## SUSPECTED ANIMAL CRUELTY REPORT

LARGE ANIMAL

CLINIC NAME AND CONTACT INFORMATION:				
ANIMAL INFORMATION				
Name/Identification:	SpecieryTireed/Nise:			
Markings, tattoos, brands:	DGB/Age:			
Sec: O Male O Female Intact: O Yes O No O Unknown				
OWNER INFORMATION				
Name (Last, First):				
Address:				
	Email:			
PERSON SUSPECTED OF CRUELTY	r person (provide details below)			
Name (Last, First):				
Address				
	Imail:			
INCIDENT DETAILS				
ocations	Date/Time:			
REASON FOR REPORT (Clasck off that apply, and odd explanati	ion with as much detail as possible below.)			
□/bandonment of animal	☐ Forashe Infestation, severe			
□ Animal fighting	☐ Person struck or caused physical/sexual harm to animal			
☐ Extreme emacration without apparent medical reason.	☐ Suffering caused by ongoing, unbreated injury or illness			
☐ Hoarding (e.g., a gas that the owner may have more	Unexplained injuries that do not match owner history			
animals than able to adequately care for)	☐ Unfit environment			
I hadequate condition, severe (e.g., overgrown hooves)	Other:			
☐ Multiple injuries in various stages of healing				
Owner/other person reports causing harm (self-disclosure)				
DESCRIPTION OF CONCERNS				

2 of 2 contact information & readent details #P

### SUSPECTED ANIMAL CRUELTY REPORT

LARGE ANIMAI

ADDITIONAL DO	CUMENT	TATION							
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				"Los	atlan of photo				
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Mouth/Teeth	□ WMI		□Ginglabis		□ Ulber	□Terta	M*	□ Brokeryl	cose Teeth
lleart	□ WNI	□ Murmu	r						
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## FAQS



### FREQUENTLY ASKED QUESTIONS

### Am I athroally bound or mandated to report in the state of Chio?

As of the time of publication, veterinariens in Ohio are not required by law-to report suspected animal abuse or creeky. Under Ohio House Bill 33 (133 did Concral Assembly), veterinarians would be required to report suspected animal abuse to humane agents. After passing the Biouse in June 2020, HB 33 was sent to the Senate for consideration and referred to the Senate Agriculture and National Resources Committee for hoorings.

As far as othics, the AMMA considers in the responsibility of the veterinarian to report suspected cases of animal abuse when an educational approach is imappropriate. The AMMA's Animal Welfare Position Statement on Animal Abuse and Animal Reglect (1999) states that "disclosure may be necessary to



health and ned are of animals and people." AVM No. Principlesof Veterinary. **Hedical Sthics** (2019) further declares that, while veterinarians and their azzodates should protect: the personal. privacy of patients and

protect the

dients, they should reveal confidences if required to by law or if it becomes necessary to protect the health and welfare of other individuals or animals.

#### Are veterinary records confidential?

Ohio law does not specifically address confidentiality of animal medical records. However, general aspects of common law create an expectation of confidentiality, which can and should be waived if there is a public health or safety risk or a court order.

### I was not trained in veterinary school on how to identify animal abuse. How do I gat training?

You may not have hed formed training in visterinary funerairs, but by the nature of your work, you are an expert in animal health. The way point to remarrise is that you do not need to prove a case when it comes to abuse or neglect; you simply need to recognize when an animal's condition is cause for concern and where education is not appropriate. A wallety of organizations and conferences offer in-person and wiresal courses, including the Midwest Veterinary Conference (www.mvtinfo.org).

#### How and to whom should I report, animal abuse?

In Ohio, suspected animal abuse should be reported to the county humane agent, who is appointed by the count system. Pvery county has at least one; typically they are associated with a local humane society, but sometimes are affiliated with local law enforcement. Get to know your humane agent before you need to report animal abuse or crueity. Having an established relationship with an agent cambel you in the future when you have a question, and especially when you need to propert.

For more information, the National Link Coalition (https://oationallinkoalition.org/has an online directory of animal abuse investigating agencies in more than 6,900 cities and counties across the U.S.

A reasonable cuspicion of abuse or neglect is enough to make a report. You may always call the appropriate harrane spency for consultation. If you are unsule whether a seport is warranted.

### **FAQS**



# What if I am not sure whether a case, is actually animal abuse? Do I have to know for sure before I report?

No, you do not need to be certain or have definitive peoplic is animal abuse. If you have a reasonable suspicion, do not hesitate to contact your county human agent, who will conduct the investigation to find out for sore. The veterinarians note is to document anapticus cases and report them to the appropriate authority. If in doubt, call and speak with the humane agent, or discuss your concerns with an experienced colleague.

### Will I anger clients, lose clients, or get sued because I report?

While there is no data applicable specifically to visterinary medicine, we are able to extrapolate from findings in human medicine. There is It the weldence that physicians have been sued or lost patients for reporting child or elder abuse. Because reporting suspected child abuse is mandated by law, medical peofessionals have been able to deflect criticism by letting those involved know that they are required by law to do so. Studies suggest that veterinarians who report suspected animal crudity are respected by members of their community for doing so.

Oblo House Nill 33 specifies that when making an animal above report, veterinarians are immore from civil and criminal liability in connection with making the report, as long as it's made in good faith.

## What happens if a staff member wants to report a case?

H IIB 33 passes, the legislation specifies that a waterinarian should make the report, consistent with their advanced medical training. In the interior, establish a hospital profocol to cover who is authorized to report a suspicious case and to determine a course of action.

### If I report suspected animal abuse, will. I make the situation worse?

Veterinarians have an ethical responsibility and sometimes a legal requirement to report. Not reporting could certainly make the situation worse and potentially endanger not only the patient and other animals in the household, but people so well.

# If I report suspected animal abuse, will. I put myself, my staff, and my clinic in. danger?

We cannot hypothesire what will happen in each individual discurnations. We recommend developing a protocol for handling potentially dangerous attractions and to alert the hospital staff if a proofem arises. It is also important to develop a relationship with your local law enhorcement agency before a problem occurs. If you have questions or need help, contact, law enforcement officers, who are trained to handle a range of situations and concerns.

### If a client seeks veterinary care for their injured pet, does that mean it is probably not abuse?

Just because someone seeks veterinary care does not mean they did not abuse the animal. Studies suggest that some abuse is actually do bring their animals to a veterinarian for treatment. A veterinarian should always document and reportsuspected animal abuse and quelty to the local burnane agent, who will determine whether it meets the legal definition of animal abuse, creatly, or neglect and what the appropriate response is (e.g., legal intervention, dient should not extend the mineral abuse.)

Sources: Phil Admin, The National Link Coarition (https://netionalisticoarition.org)

Helinda Morek, DVM, Veterrary Forenses Consulting, LLC (https://www.veternaryforenses.com/

Diene dalkin, LD, Animal Logal Defense Fund (https://elollorg/)

A reasonable cuspicion of abace or neglect idences has no as a report, you may always call the agency ate for more agency for convolvation. By no account of the angent part (it was rested.)

# I reported it. Now what?

- \* Few reports actually proceed to court
- Resolution
  - Education, compliance agreement
- Charges filed
  - Plea agreement
  - Case to court
    - Trial





### SECTION 3 SOP: Consultation & Reporting

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### 13. Write Forensic Report

### **Veterinary Statement of Findings**

In an animal cruelty case, you will be asked to write a forersic report known as a "Veterinary Statement of Findings."

This report is different from your medical records of the patient and from any initial or preliminary statement or report you may have already made. It is comprehensive; it includes your summary and conclusions.

The report will pull together all of your medical findings, along with attachments (i.e., examination findings, diagnostic tests, radiographs, photographs). Based on these findings and your assessment, you then will draw a conclusion if, in your medical expertise, the animal(s) experienced pain, suffering or death because of his or her maltreatment.

NOTE: The headings to the right and on the next page are suggested based on evidence collected. Sample forensic veterinary statements and reports very; use what is appropriate.



### **Reporting Animal Cruelty** THE ROLE OF THE VETERINARIAN: ESTABLISHING PROTOCOLS TO IDENTIFY AND REPORT SUSPECTED ANIMAL CRUELTY IN MASSACHUSETTS Role & Responsibilities 29 Standard Operating Procedures 41 **Legal Actions** 129 Other Considerations 141 Further Laws & Resources Credits & References 167 Tufts | Cummings School ANIMAL RESCUE LEAGUE ANIMALFOLKS of Veterinary Medicine of BOSTON

- This is in addition to medical records and diagnostics
- Keep it concise
- You are the expert
- Make sure non-medically trained people can understand it





Animal IDa.

On the control of the comment of the control of the

Or physical exam, the doy was clearly lameron the right. Front lay. Pain meditation also prescribed/administered. In addition to the lameness, an obvious deformity to the injured area was apparent. Palpation revealed some stability to the fracture. XiPay exam revealed a recent fracture (no obvious body callus on x-ray) fitting the distal redustand und (a tracture through the bones above the carpus, or wrist). Absence of callus on x-ray exam coupled with some physical stability aged the tracture at 1-2 weeks old. The fracture was past the point of surgical repair. The dog <u>gas ages age</u> and an external aprint was placed.

Without veterinary care immediately after the injury (pain medication, surgery), this dog would have a chered tremendous pain. By the time he came to the A.1, the tractures were starting to heal and stabilize albeit in a determed state, resulting in limited range of motion of the right carpus and abnormal forces together played on that joint for the remainder of the life of the dog.

The injury this dog suffered would have been incredibly painful, especially during the first week. following the injury. It would have been clearly apparent to a reasonable person that this dog needed medical sare.

Allson Eash, DVM

Medical Director

Cleve and APL





nimal IDs:

Lexamined two animals from the above referenced rate. One, a young adult dog, a lab mix, in March 2017 and the other, a young adult cas in July 2018 (

The dog presented with an infection around the mack from an embedded collar and tail tip troums. He was placed an antibiotics and pain medication. It took 5 days to get the infection around the neck under control to surgery could be performed to close the wound. This day was agreemently underweight on arrival (Body Condition Score 2/9) and gained 6H in less than 10 days on a standard feeding program. He want on to make a full recovery.

The cat present act with a prolapsed rector. Rectal tissue it ad prolapsed 8 cm, left untreated, this exposed, delicate tissue would dry out and die. In addition, the cat was found to be extremely thin (Body Condition Soore 2/1), dehydrated and duty. The certal prolapse was gooded, such any fract infection was identified that was likely caused from the exposed rectal dispue. The cot maintained a good appetite in the case of she API. The gained over 25 to less than a month on wandard feeding. The cast went on to make a trib recovery.

The above animals were markedly underweight, they both responded significantly to basic feeding which leads mait occurred they were not being fac adequately.

The conditions these entire is were suffering from were conditions that would be obvious to a pet owner. The collar that had grown into the dog's hadk had left an infection that coold easily be smalled, it would be simple to tell the collar wasn't able to be moved or was too tight. The cool presented with bright red rectal backs probleding from the backend. Any reasonable person could identify that as abnormal. These conditions were left commanaged and outrested for a significant amount of time are rung discontract and suffering that threatened the health and comfort of these animals.

Allison Lock, DVM

Head of Veterinary Services.

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Animal III: Animalis Case: Cl

Only
Lexamoned siyoling, black and white, male, tenner mix puppy. He was reported to have been found dead and tracing was suspected.

Hort-mortem exemination reversied a young puppy of edequate body condition. It stemallessem revealed swelling of the scient in the left eye. There was blood staining on the left mustle and chest. Internal examination reversied a gorintard blood in the chest covity. The lungs exhibited pulmonary contustions (blood accumulated in the lung tissue) and the per cardium (sac around the heart) was filled with blood, so much as, it obstrued the heart. Normal toggets, and shoot were round in the internal tract. Test for parvoying was negative.

X-ray examination revealed an old, I define, mid-dinar fracture of the left front leg. Callaced (heating) in actors were noted at the 12° and 12° into on the right aids. A new fracture was noted at the right 10° nt.

This dog died as an esuit of trauma that led to hemonitage in the longs and around the heart. Beeth from this injury would have been relatively wait. The recent fracture of the 10° nb may be associated with this injury. The three other fractures were close, at stages of Leafing (based on excende of body callus formation). It takes weeks to revidence of beeting (railus formation) to show up on an except. This animal had experienced both recent trauma (resolting in death) and historical trauma (three old fractures).

Allison Lesh, IDVM

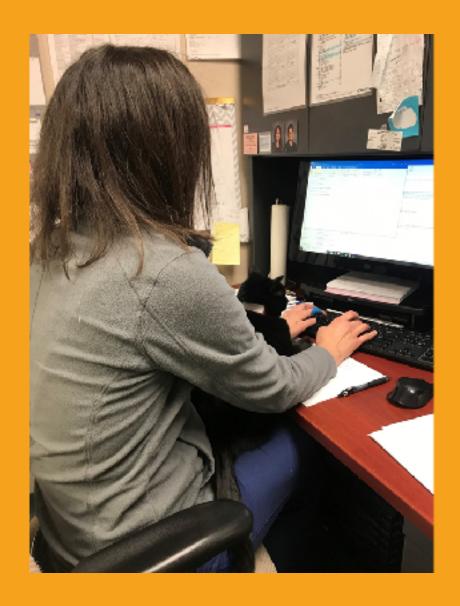
Head of Weter nary Services

Cleveland API

# Testifying

Remember, you are the veterinary medical expert

- Have an updated resume handy
- Answer questions, take your time
- It is ok to say, 'I don't know'
- Ask for clarification if needed
- Bring a copy of the medical records and report to refer to (make sure they are the same that were submitted as evidence)- ask before referring to notes



# THANK YOU

- Questions?
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