

BIBLIOGRAPHY

THE CONNECTION BETWEEN ANIMAL ABUSE AND FAMILY VIOLENCE: A SELECTED ANNOTATED BIBLIOGRAPHY

By
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This Selected Annotated Bibliography assembles legal and social literature that examines the link between domestic violence and animal abuse. Drawing from an ever-growing body of written works dedicated to the issue, the Bibliography presents the works that are most informative and useful to the legal community. These include case studies, current and proposed legislation, and social services guides that address the occurrence of and response to the animal cruelty-family violence correlation. In doing so, the Bibliography creates a resource that will prove helpful to a variety of legal practitioners, law makers, and professionals within the criminal justice system, and will serve as a tool to promote further understanding of the patterns of abuse that often concurrently victimize both humans and animals.

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I. INTRODUCTION

Animal cruelty is a crime in all fifty states and the District of Columbia, and is now a felony in all but four states.¹ Cruelty to animals is a significant and heartbreaking issue in and of itself. However, in the past several decades, a body of research has evolved indicating that animal abuse may also be an indicator of concurrent interpersonal violence—especially within families—encompassing links to child abuse, elder abuse, and partner abuse.

Our overwhelmed legal, medical, and social services systems often appear to have little inclination to investigate and prosecute cases of suspected animal abuse when so many human issues desperately need attention. However, research suggests that discovering and intervening in animal abuse cases can save not only animals but also people from neglect, abuse, or even death.

The purpose of this Bibliography is to bring the connection between cruelty to animals and family violence to the attention of legislators, prosecutors, legal professionals, and law enforcement personnel who work with families, and also to legal professionals who work with animal welfare or social service organizations or with veterinarians. This Bibliography also includes resources that can help prosecutors, legislators, and law enforcement personnel improve their communities'

¹ Pet-Abuse.Com, *U.S. Cruelty Laws Felony vs. Misdemeanor*, http://www.pet-abuse.com/pages/cruelty_laws.php (updated Nov. 2, 2010) (accessed Apr. 3, 2011).

responses to animal abuse and family violence issues. Because the literature in this area is far-reaching and interdisciplinary, this Bibliography does not attempt to be comprehensive; omission of a work does not imply that it is not of quality or value, but simply that there is only so much material that can be included in a limited space.

Part I describes resources from the legal and other professional literature exploring the connection between animal cruelty and family violence. Some resources also describe research related to animal abuse as a predictor of violence against people. Part II explores responses to the problem of animal abuse and family violence that have been proposed or undertaken by legal, medical, social service, and other professional organizations that work with families. Part III discusses the inclusion of animals in protective orders and types of programs that house the pets of domestic violence victims. Part IV provides information about how various professions are addressing concurrent violence towards humans and animals. Part V concludes with information for further research.

The materials cited below are drawn from books, law review articles, periodical articles, and websites, with an emphasis on those materials readily available in print or online. Newspaper articles and articles from popular magazines have been generally excluded, though some shorter articles from professional journals or newsletters are included when relevant. Most materials have been published in the United States within the last twenty years. Resources written by, or primarily intended for, members of the legal or law enforcement communities are marked with asterisks (*).

Within each Part, resources are broken down by document type: websites and online-only publications; books and book chapters; and articles. Within the “Books and Book Chapters” sections and the “Articles” sections, resources are primarily presented in chronological order instead of by author’s last name so the reader can follow how the literature has evolved; when resources were published in the same year, they are listed alphabetically by the author’s last name. Websites and web-based publications are presented in chronological order when a date is known.

II. RESEARCH SHOWING CONNECTIONS BETWEEN ANIMAL ABUSE AND FAMILY VIOLENCE

A. *Websites and Web-Based Documents*

Am. Humane Assn., *Understanding the Link between Animal Abuse and Family Violence*, <http://www.americanhumane.org/interaction/support-the-bond/fact-sheets/understanding-the-link.html> (accessed Apr. 3, 2011).

This page notes that child and animal protection professionals recognize there is a link between animal abuse, family violence, and community violence. Furthermore, results of studies indicate that the link between human and animal abuse may be widespread. States and communities, as

well as the American Humane Association (American Humane), are taking various steps to combat violence against humans and animals. In addition, American Humane calls for a number of provisions to be implemented, including increasing cross-training and cross-reporting among law enforcement officials and human and animal services professionals, providing continuing education about “Link” issues to judges and prosecutors, and tracking animal abuse data on a national level. Lists of references and resources conclude the document.

Am. Humane Assn. & Natl. Coalition Against Dom. Violence, *Facts About Animal Abuse & Domestic Violence*, <http://www.americanhumane.org/interaction/support-the-bond/fact-sheets/animal-abuse-domestic-violence.html> (updated 2011) (accessed Apr. 3, 2011).

This page summarizes statistics describing the importance of pets to families and how pets are involved in domestic violence situations. It also notes what victims of abuse can do to protect their pets, provides tips on what advocates can do to assist battered women with pets, and includes a list of additional resources.

*Allie Phillips, *How the Dynamics between Animal Abuse and Child Abuse Affect the Forensic Interview Process*, 1 Reasonable Efforts No. 4 (2004), http://www.ndaa.org/reasonable_efforts_v1no4.html (accessed Apr. 3, 2011).

As the author explains, abusers may harm or kill a child’s pet to force the child to comply with or remain silent about his or her own abuse. Talking about companion animals with children during the forensic interview may help reveal evidence of threatened or actual abuse, or of pets that have been killed, and such questioning may also lead to disclosure of the child’s own abuse. Having the child’s pet or a trained therapy animal present during the interview may also assist the child to disclose incidents of abuse. The author recommends the *Boat Inventory on Animal-Related Experiences* as a resource for developing possible interview questions. Including questions about pets in the interview process can aid in gathering evidence against the abuser, help law enforcement and child protection professionals understand the dynamics of abuse occurring in the home, and help obtain appropriate treatment for all members of the family.

*Natl. Dist. Attys. Assn., *Talking Points: Animal Cruelty and its Link to Domestic Violence, Child and Elder Abuse*, <http://www.humanesociety.org/assets/pdfs/abuse/ndaa-animal-cruelty-familyviolence-2-28-06.pdf> (Mar. 3, 2006) (accessed Apr. 3, 2011).

This one-page handout summarizes the research on the link between animal abuse and interpersonal violence and describes how abusers frequently threaten or harm animals as a way to control their human victims. It asserts that a report of animal abuse should be a red flag to police and animal control officers, who should also check for any signs of partner, child, and elder abuse in the home when responding to the animal cruelty call.

*Susan Gaertner, Lecture, *The Link Between Animal Abuse and a Culture of Violence* (42d Annual Crim. Just. Inst. Aug. 27, 2007) (tran-

script available at <http://www.docstoc.com/docs/53811252/The-Link-Between-Animal-Abuse-and-a-Culture-of> (Sept. 6, 2010) (accessed Apr. 3, 2011)).

This transcript of a lecture given at the 42nd Annual Criminal Justice Institute in 2007 notes that animal abuse often indicates a person in the home is suffering as well. Offenders know abusing people will get them in trouble, so they abuse animals to indirectly control and frighten their victims. Since pets often provide more emotional support to abused children than do human family members, the torture or killing of a child's main source of consolation can be devastating. Abused children can also in turn abuse their pets, and children who abuse animals are frequently being abused themselves. Animal abuse is often tied to violence outside the home: For example, Australian researchers discovered 100% of the sexual homicide perpetrators they interviewed had abused animals, and the Chicago Police Department found over 80% of those arrested on animal abuse charges had prior arrests for battery, weapons, or drug offenses. Activities such as dog fighting (sometimes perpetrated with family pets) also contribute to a society-wide culture of violence. Prosecutors and judges should therefore require psychological counseling for animal abusers so as to reduce the risk they will commit other crimes. Other suggestions include allowing animals to be included in protective orders, providing housing for pets of families fleeing domestic violence, and requiring cross-training of human services, animal services, and law enforcement personnel so that they can recognize the roles animals play in domestic violence and child abuse.

*Diana Wempen, *Four-Footed and Largely Forgotten: Exploring the Connections between Animal Abuse and Domestic Violence*, 8 ABA Commn. Dom. Violence eNewsltr. (Summer 2007), <http://www.abanet.org/domviol/enewsletter/pdfs/wempen.pdf> (accessed Apr. 3, 2011).

This article surveys challenges in prosecuting animal abusers within the context of domestic violence and the issues related to the protection of victims. Many animal abuse statutes are poorly worded or do not provide sufficient penalties. In addition, many prosecutors, judges, domestic violence professionals, and citizens believe it is a waste of the court's resources to prosecute animal abuse cases. However, humans may also be seriously affected by animal abuse. For example, children who are abused, or who are exposed to animal abuse, may in turn abuse or kill animals themselves, and thus these children require treatment as soon as possible to reduce the risk of later mental health problems. To protect their pets, domestic violence victims may delay leaving their homes, or refuse to leave at all. If they do flee to a domestic violence shelter, many shelters cannot or will not accommodate pets due to various practical and legal issues. The author suggests that those who provide legal and other services to domestic violence victims should ask questions about animal abuse during screening processes and assist victims in creating a safety plan for their animals. Local attorneys can help by providing pro bono assistance to shelters to clarify legal issues involved with accepting pets. Veterinarians, attorneys, domestic violence advocates, and animal welfare agencies need education about the significance of animal abuse in the context of domestic violence so they can coordinate their efforts to protect both people and animals.

Humane Socy. of the U.S., *First Strike: The Violence Connection*, http://www.humanesociety.org/assets/pdfs/abuse/first_strike.pdf (2008) (accessed Apr. 3, 2011).

This pamphlet summarizes research relating animal cruelty to other violent crimes, including examples drawn from serial killings, school shootings, domestic violence, and the abuse of animals by children. It also describes forms of, and motives for, animal cruelty, and provides examples of how attorneys general, prosecutors, and law enforcement personnel can assist in the discovery and prosecution of animal cruelty cases. Interagency coalitions created to address the multifaceted aspects of domestic violence and animal cruelty in a comprehensive manner are also discussed.

B. Books and Book Chapters

Carol J. Adams, *Woman-Battering and Harm to Animals*, in *Animals and Women: Feminist Theoretical Explorations* 55 (Carol J. Adams & Josephine Donovan eds., Duke U. Press 1995).

The author explores how the abuse of animals is part of an environment of controlling behaviors used by male batterers against women and children. Animal abuse can be considered both physical and psychological battering because it inflicts physical damage and pain on the animal and psychological trauma on the woman. Women may experience grief, rage and/or guilt over the injury or death of a pet but may feel that they cannot express these feelings. According to the author, abuse of animals supports a constellation of controlling behaviors, such as demonstrating the batterer's power, teaching submission, isolating the woman from the companionship of the animal, and perpetuating an environment of terror. The author concludes that animal abuse is part of an environment of control and fear created by the batterer and that all forms of violence are interrelated.

*William S. Cohen, *A Congressional View of the Cycle of Violence*, 142 Cong. Rec. S4630 (daily ed. May 2, 1996), in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 335 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

Senator Cohen reviews the evidence for animal abuse within a "larger cycle of violence" encompassing families and the community. While not every child who abuses an animal is being abused or will grow up to be a violent criminal, there is a strong correlation between violence toward animals and violence toward humans. Educators, criminal justice professionals, and animal control officials need to work together to recognize, intervene in, and prevent human and animal abuse. The Senator asks the Attorney General to accelerate the Department of Justice's research in this area, and he expresses an interest in educating prosecuting attorneys and judges about the connection between animal cruelty and criminal behavior.

Jane Ann Quinlisk, *Animal Abuse and Family Violence*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 168 (Frank R. Ascione & Phil Arkow, eds., Purdue U. Press 1999).

This chapter describes the results of two surveys sent to women in domestic violence shelters by the La Crosse, Wisconsin Community Coalition Against Violence (CCAV). Of families with pets and/or livestock, 68% and 72% of respondents indicated there was violence toward their animals; in 88% and 65% of those families, the woman witnessed the animal abuse; and in 76% and 43% of those families, the children witnessed the animal abuse. Of the children witnessing the abuse, many copied similar abusive behaviors—though two mothers noted their children became more protective of their pets because of witnessing the abuse. Another survey of male participants in a local abuser treatment program revealed none were willing to admit to abusing animals as adults—even those who admitted to abusing their partner. The author estimates CCAV members encounter a situation involving animals in an abusive home at least once a month. She stresses the importance of including questions about pets and livestock in screening processes and of developing options for safely housing the client's animals should the family need to leave the home.

Pamela Carlisle-Frank & Tom Flanagan, *Silent Victims: Recognizing and Stopping Abuse of the Family Pet* (U. Press of Am., Inc. 2006).

This book's intended audience is professionals in the human services, animal welfare, law enforcement, legal, and other fields. It employs research reports, anecdotal reports, and case studies to explore how animal cruelty is part of a continuum of violence in families and the community. The opening chapters describe the magnitude of the animal abuse problem, why abuse occurs, the reasons why batterers and children or adolescents may abuse pets, and the importance of recognizing that animal abuse is occurring. Children who abuse animals often show deviant and aggressive behavior later in life, but animal-assisted interventions and humane education programs can help prevent future difficulties for at-risk children. Other chapters review forms of and reasons for animal neglect and hoarding and discuss how communities can identify and respond to these situations. Chapter Eight identifies some of the red flags of animal abuse or neglect and methods of identifying people and animals in need of assistance. Chapter Nine discusses the importance of creating multi-disciplinary partnerships and offers profession-specific strategies that agencies and individuals can use to identify and stop animal abuse in their communities. A list of organizations, books, videos, and other evaluation and training materials is provided in Chapter Ten.

Frank R. Ascione, *Emerging Research on Animal Abuse as a Risk Factor for Intimate Partner Violence*, in *Intimate Partner Violence 3-1* (Kathleen A. Kendall-Tackett & Sarah M. Giacomoni eds., Civic Research Inst., Inc. 2007).

This chapter compares the findings of twelve studies involving victims of intimate partner violence conducted between 1998 and 2006. The victims were asked questions such as whether the abuser had ever threatened and/or hurt or killed a pet, if children were exposed to animal abuse, if their children had ever hurt or killed a pet, and if animal abuse was a factor in the victim's decision to stay or leave the home. The study findings are remarkably consistent across these areas. The author notes improvements in methodology and data analysis that should be made in future studies. He also reviews studies including animal abuse within the context of domestic

violence and child abuse, and describes how the findings of the reviewed studies have impacted procedures at domestic violence shelters.

Clifton P. Flynn, *Women-Battering, Pet Abuse, and Human-Animal Relationships*, in *The Link between Animal Abuse and Human Violence* 116 (Andrew Linzey ed., Sussex Academic Press 2009).

As the author explains, pets can be important sources of emotional support for battered women, especially for those without children. Pets often provide comfort after an assault, sometimes even risking their own safety to attack the batterer, and they may exhibit signs of stress when witnessing abuse. Those who work with battered women and children need to take their clients' concerns about their companion animals seriously. The legal system should view animals as victims of criminal behavior in their own right, but pet abuse is likely to continue until pets are viewed as more than property because the consequences of abusing animals are usually minimal. The abuse of a pet should be considered "powerful evidence of parental unfitness," and courts need to consider a family's relationship with its pets in custody issues, divorces, and restraining orders.

*Joan E. Schaffner, *Laws and Policy to Address the Link of Family Violence*, in *The Link between Animal Abuse and Human Violence* 228 (Andrew Linzey ed., Sussex Academic Press 2009).

Current laws address animal abuse, domestic violence, child abuse, and elder abuse as separate crimes. However, because laws do not acknowledge the interrelationship of these forms of violence, they fail to adequately protect potential victims. Laws and policies need to address the link between human violence and animal abuse through the entire cycle of violence, from preventing abuse through the punishment and rehabilitation of offenders. Because effective prosecution of animal abuse may prevent future violence toward humans, the legal system should increase penalties, encourage aggressive enforcement, and provide judges with the authority to impose creative sentences for the rehabilitation of offenders. A separate category for animal cruelty needs to be created in the Uniform Crime Reporting Program to enable the tracking and analysis of these crimes. Expanding protective orders to include pets, including questions about pets in the intake process at women's shelters and social service organizations, and providing safe haven shelters for pets are other ways to extend protection to all family members. Allowing the introduction of evidence of all forms of family violence at trial facilitates prosecution and also allows courts to make better-informed custody and visitation decisions.

Lisa Anne Zilney, *Linking Animal Cruelty and Family Violence* (Cambridge Press 2007).

This book is based on a study examining several hypotheses attempting to explain the connections between animal abuse and interpersonal violence. The first is the "graduation hypothesis," which posits that violence against animals exhibited during childhood or adolescence will eventually escalate into violence against humans. The "generality of deviance hypothesis" holds that acts of deviance (including animal abuse) often cluster in an offender's teen and early adult years and are largely the result of opportunity and external influences; most offenders do not later commit more serious crimes. The "masculinities hypothesis" posits that individuals with "patri-

archal” attitudes are more likely to abuse women and animals. The study found partial support for the graduation hypothesis and did not find support for the generality of deviance hypothesis—that is, viewing animal abuse as something offenders grow out of is not correct, and young persons who abuse animals are more likely to commit later acts of violence. Finally, the masculinities hypothesis was partially upheld in that negative attitudes toward animals were significant predictors of the perpetration of child abuse. The author indicates there is substantial evidence linking animal abuse to family violence, though the relationship is not necessarily causal. She urges legal scholars to help prevent animal abuse by challenging the current status of animals as property and pursuing the issue of legal standing for animals. The author also argues that legislators need to pass laws that mandate the cross-reporting of human and animal abuse, require counseling for offenders convicted of animal abuse, and include animals in protective orders. According to the author, the criminal justice system must pass sentences on animal abusers that accurately reflect the severity of crimes directed toward animals.

C. Articles

Elizabeth DeViney et al., *The Care of Pets within Child Abusing Families*, in *Cruelty to Animals and Interpersonal Violence 305* (Randall Lockwood & Frank R. Ascione eds., Purdue U. Press 1998) (reprinted from 4 *Intl. J. Study Animal Probs.* 321 (1983)).

This article reports the results of a study of fifty-three pet-owning families in New Jersey in which child abuse had occurred. Most study participants reported a positive attitude toward their pets, though researchers noted discrepancies between how families stated they treated their pets and the treatment the researcher observed. Sixty percent of the families in the study had at least one family member who met criteria for abusing a pet; in families in which physical abuse took place, eighty-eight percent also reported instances of animal abuse. Families with concurrent instances of child abuse and animal abuse displayed more conflict over who was responsible for taking care of the pet. These families did not perceive their pets as well-behaved, and they reported more incidents of a pet harming a family member. However, even in these families, many expressed love and concern for animals. The authors postulate it should be possible to integrate these positive feelings into the therapeutic process.

*Barbara Rosen, *Watch for Pet Abuse—It May Save Your Client’s Life*, in *Cruelty to Animals and Interpersonal Violence 340* (Randall Lockwood & Frank R. Ascione eds., Purdue U. Press 1998) (reprinted from 5 *Shepard’s Elder Care/L. Newsl.* 1 (July 1995)).

The author reports an estimated one in twenty elders is abused, and, since half of U.S. homes have pets, it is likely many abused elders have abused pets. Any professional in contact with elders or animals—including lawyers, veterinarians, social workers, and doctors—needs to be alert to both kinds of abuse. The author notes that “greed, anger, frustration and ignorance” are frequently behind both the abuse of elders and the abuse of their pets. Elders may be afraid to call the police about their own or their pet’s abuse, but neighbors’ reports of an abused animal may lead to the discov-

ery of an abused elder. "Red light" situations professionals should watch for include animals that appear excessively frightened, malnourished, or in need of veterinary care; reports by the elder of animals that have recently died or disappeared; and an excessive amount of animals in the home in poor condition. Both elders and animals are often caught up in the same web of abuse, but most lawyers and other professionals do not realize this connection exists. Those providing services to elders should get to know local animal welfare professionals, since both agencies may be working on the same case without knowing it. The author encourages lawyers to include evidence of animal abuse in plea bargains, custody agreements, and other relevant situations. Teaching children to care about all living creatures through humane education programs can also prevent problems when these children grow up to become caretakers of elderly relatives.

Frank R. Ascione et al., *The Abuse of Animals and Domestic Violence: A National Survey of Shelters for Women Who Are Battered*, 5 Socy. & Animals 205 (1997) (available at http://www.animalsandsociety.org/as-sets/library/359_s534.pdf (accessed Apr. 3, 2011)).

This article presents the results of a survey of the experiences of shelter personnel at forty-eight large U.S. domestic violence shelters with the overlap between partner violence, child abuse, and animal abuse. The survey revealed that 85.4% of surveyed shelters reported that women entering the shelter discussed incidents of pet abuse, and 63% of the surveyed shelters reported that children entering the shelters revealed incidents of pet abuse. Further, 83.3% of shelter personnel had observed the coexistence of pet abuse and domestic violence, but only 27.1% of shelters routinely included questions about pets in their intake process. Implications of the findings for domestic violence programs are discussed, including the ways in which asking questions about animal cruelty during the shelter intake process can be used to assess an abuser's propensity for violence. Domestic violence victim advocates should ask about the existence and welfare of pets in the home so as to better assist victims in the decision to stay or leave. Issues for animal welfare organizations that partner with shelters are reviewed, including the possibility of requiring a background check for domestic violence for potential adopters. The article concludes with a review of implications for children's services, including issues that may arise in the therapeutic use of animals with children who may have witnessed the abuse of animals or who may have abused animals themselves.

Frank R. Ascione, *Battered Women's Reports of Their Partners' and Their Children's Cruelty to Animals*, 1 J. Emotional Abuse 119 (1998) (available at http://new.vawnet.org/Assoc_Files_VAWnet/BWPet-Cruelty.pdf (accessed Apr. 3, 2011)).

This article reports the results of a study done of women at a domestic violence shelter in northern Utah who reported current or past pet ownership. Seventy-one percent of the women reported their partner had either threatened or actually hurt or killed a pet, with over half (57%) reporting a pet was actually harmed or killed. In addition, 32% of women with children reported one or more of their children had hurt or killed a pet. Eighteen percent of women reported they had delayed coming to the shelter out of concern for a pet's welfare. Though the sample size in the study was small,

extrapolation of these findings nationwide shows hundreds of thousands of families could potentially be affected. A case example from Salt Lake City featuring the confluence of spouse battering, child abuse, and animal abuse is also discussed.

*Charlotte Lacroix, *Another Weapon for Combating Family Violence: Prevention of Animal Abuse*, 4 *Animal L.* 1 (1998).

According to the author, the law currently fosters a double standard of violence, with the characteristics of the victim (human or animal) being more important than the violence of the offender in determining the degree of punishment. The author reviews research demonstrating the similarities between forms of family violence and noting where there is one form of violence in a home, there are likely to be others. Therefore, the detection of violence against animals within a family will likely improve the detection of violence against other family members. The author argues that current animal abuse laws are ineffective at deterrence and delineates shortcomings in statutes and in the legal theory behind them.

As the author notes, another hurdle is overcoming the reluctance of policy makers, legislators, prosecutors, and society at large to take animal abuse seriously. In addition, many states outsource the enforcement of animal welfare statutes, frequently leading to inconsistent enforcement. The author reviews the laws related to mandated reporting of child abuse and how mandating the reporting and cross-reporting of animal abuse and child abuse among human services and animal welfare professionals could expand the pool of persons trained to evaluate all forms of abuse without requiring additional staff. The lack of a clear, uniform standard of what constitutes "animal cruelty" not only leads to the inconsistent enforcement of existing laws but also prohibits the establishment of national or regional registries of offenders. The author describes how this situation could be remedied through federal legislation or state cooperation. The article concludes with the evidentiary value of animal abuse and includes examples of how such evidence can be introduced in criminal and civil cases, custody hearings and disputes, and child protection proceedings.

*Susan Crowell, *Animal Cruelty as it Relates to Child Abuse: Shedding Light on a "Hidden" Problem*, 20 *J. Juv. L.* 38 (1999).

When a child commits animal abuse, studies show there is a risk the child will eventually graduate to human victims or other forms of antisocial behavior. While it is admittedly true that not all persons who abuse animals become serial killers, the life histories of most serial killers include animal abuse. The author reviews selected cases where evidence of animal abuse was used to obtain convictions on charges of sexual abuse and obtain an acquittal of a murder, and where it factored in custody decisions. According to the author, the legal profession needs to be concerned about animal cruelty because it is often the most visible part of an otherwise hidden history of family violence. Increasing animal abuse charges to felonies would require judges to pay more attention to these crimes and reduce the likelihood charges of animal abuse would be "bargained down." In addition, unlike misdemeanors, which can be expunged under some circumstances, a felony charge will remain on a person's record. The author calls for mandated cross-reporting by both animal and human welfare agencies, noting

that combining the efforts of these agencies may save money and reduce the costs of investigations.

*Randall Lockwood, *Animal Cruelty and Violence against Humans: Making the Connection*, 5 *Animal L.* 81 (1999).

The link between animal cruelty and violent behavior has been observed anecdotally for hundreds of years. More recently, studies of violent offenders have often found that they have a history of abusing animals as children. The American public is supportive of stronger laws against animal abuse, with nearly one-third stating that the most important reason for increasing penalties for animal abuse is that animal abuse is indicative or predictive of other forms of family violence. Nevertheless, many state animal cruelty laws remain weak, and prosecutors must often think creatively to obtain convictions. For example, in the *Noah's Ark* case in Iowa, where over twenty cats in an animal shelter were bludgeoned to death, the defendants were successfully convicted under a facilities break-in law instead of under animal protection laws. The author notes that simply incarcerating animal abusers will not solve the problem. Instead, offenders must be identified and prosecuted as early as possible so they can receive mandated treatment. Current community responses to violence are fragmented and need to be coordinated among social service, animal protection, and legal and law enforcement professionals to provide a united, uniform approach. Paying more attention to how animals are treated can help create a humane society for all.

*Molly McDonough, *Animal Abuse a Predictor of Domestic Violence*, *Chi. Daily L. Bulletin* 1 (July 28, 1999).

This article reports on a training session sponsored by two Chicago-area family violence prevention councils. Police officers, social workers, judges, and other representatives of the legal community attended. Attendees noted the seminar's information was "something that should always be kept in mind," with one Assistant State's Attorney commenting how the abuse of animals by children is often dismissed as a "crazy kid's stunt." The article describes legislation in Illinois that would make animal torture a Class 4 felony and concludes with a note that prosecuting an animal cruelty offense can sometimes be the only way for State's Attorneys to make a domestic violence case in situations where the victim recants or is afraid to press charges.

Clifton P. Flynn, *Woman's Best Friend: Pet Abuse and the Role of Companion Animals in the Lives of Battered Women*, 6 *Violence Against Women* 162 (2000).

This article reports on a 1998 study of 107 women at a South Carolina domestic violence shelter. Nearly three-quarters of the pet-owning women reported their pets were important sources of emotional support in dealing with their own abuse, and almost half reported that the abuser had threatened or harmed a pet. Women who left a pet behind were worried about the safety of the pet while they were at the shelter, with several women reporting they delayed leaving the abusive situation out of concern for their pets. The author encourages shelter staff to include questions about companion animals in intake interviews and provide services for victims' pets, and make counseling available to help women with feelings of

loss, guilt, and worry related to their pets. Evidence of animal cruelty could be valuable in securing protection orders, gaining temporary custody of the home or children, and in efforts to arrest the batterer. Cross-training and cross-referrals among social services and animal protection personnel will increase awareness of the possibility there may be both human and animal victims in an abusive home.

*Melissa Trollinger, *The Link Among Animal Abuse, Child Abuse, and Domestic Violence*, 30 Colo. Law. 29 (2001).

According to the author, abuse of an animal can be used as a form of coercion, intimidation, punishment, or retaliation. Children raised in an abusive environment learn that violence is a way to solve problems, and they grow up to perpetuate the cycle of violence. Though all fifty states make cruelty to animals a criminal offense, law enforcement, prosecutors, and abusers do not take these laws seriously. Attorneys need to understand that regardless of the victim, abuse is about power and control, and a situation involving animal abuse is a red flag that people may also be being abused. Animal abuse in the context of family violence needs to be taken into account when drafting legislation, requesting restraining orders, and sentencing offenders. Attorneys should take clients' disclosures of animal abuse seriously. Attorneys can also help by supporting local humane societies and helping their clients find places in the community to shelter their pets.

Marti T. Loring & Tamara A. Bolden-Hines, *Pet Abuse by Batterers as a Means of Coercing Battered Women into Committing Illegal Behavior*, 4 J. Emotional Abuse 27 (2004).

This article reports the results of a 1999 study of 107 emotionally or physically abused women at a family violence center in Atlanta, Georgia. All of the women had committed at least one illegal act and all met the criteria for a diagnosis of Post-Traumatic Stress Disorder. Of the seventy-two women owning pets, fifty-four reported actual or threatened abuse to their pet. Of those women, twenty-four (44%) reported committing the illegal act(s) in order to spare pets from abuse. Illegal behaviors included being involved in bank robbery, credit card theft or fraud, stock fraud, bank fraud, and drug trafficking. Women either witnessed the pet abuse or discovered that the animal had been harmed or had disappeared when they returned home. The coerced women reported feeling "desperation and anguish" at having to violate their values in order to protect their animals and commented they would rather be hurt (emotionally or physically) than have someone hurt their pets. The results of this study demonstrate the importance of including questions about pet abuse as a possible form of coercion during the forensic evaluation of abused women.

*Naseem Stecker, *Domestic Violence and the Animal Cruelty Connection*, 83 Mich. B.J. 36 (Sept. 2004) (available at <http://www.michbar.org/journal/pdf/pdf4article743.pdf> (accessed Apr. 3, 2011)).

Although Michigan has fairly strong anti-cruelty laws, including felony provisions, many cases that reach the courts are pled out. Sentencing guidelines do not distinguish situations where an animal suffered significant torture and do not take into account the psychological distress of family members whose pets are abused or killed. In addition, Michigan's

cruelty statute does not address cruelty to an animal that is not owned by, or is not in the control of, the defendant. Dr. Marylou Randour states that if animal cruelty were re-categorized as a crime against society instead of a crime against property, judges and prosecutors would be more likely to take such cases seriously. Statistics on animal cruelty need to be maintained at both the juvenile and adult levels so they can be analyzed. Because a great deal of animal cruelty occurs because of ignorance, the public needs to be educated about the care animals require and needs to know there are legal consequences for not taking care of animals properly.

Cheryl L. Currie, *Animal Cruelty by Children Exposed to Domestic Violence*, 30 *Child Abuse & Neglect* 425 (2006).

This article reports on a study of ninety-two families in central Canada that attempted to assess the difference in the rate of cruelty to animals between children exposed to domestic violence and children who had not had such an exposure. Children who had been exposed to domestic violence were nearly three times more likely to engage in animal cruelty. There was no gender difference observed between the two groups related to animal cruelty. However, children in the exposed group who were cruel to animals were over a year older than children who were cruel to animals in the non-exposed group, suggesting the cruelty was more likely intentional than the “exploratory/curious” abuse typically committed by younger children. While the sample size in the study was small and the study had other limitations, its findings suggest a correlation exists between exposure to domestic violence and children’s abuse of animals.

*Jennifer Robbins, Student Author, *Recognizing the Relationship between Domestic Violence and Animal Abuse: Recommendation for Change to the Texas Legislature*, 16 *Tex. J. Women & L.* 129 (2006).

The author first reviews research on the connections between animal abuse and domestic violence, including research on the ways in which batterers use animal abuse as a way to control their victims. Women fleeing an abusive situation already face many obstacles, and fear of retaliation against a pet can cause them to delay seeking safety; thus, ensuring the safety of pets helps to ensure the safety of domestic violence victims. The author recommends that the scope of protective orders be expanded to include psychological abuse, which would encompass threatened or actual abuse to a pet. The author asserts that the family violence statute could be amended to include animals within the definition of “family” or “household,” or that the definition of “family violence” could be expanded to include violence against animals. Other possible changes include allowing courts to prohibit batterers from possessing an animal and expanding the types of agencies that have the authority to seize animals. Because Texas is a community property state, abusers can claim the animal is the property of both the abuser and the victim, leaving the victim without the right to take the animal. The author argues that the statute should be amended to overcome these and other shortcomings. Allowing the use of the tort of intentional infliction of emotional distress in situations where animal abuse occurs in the context of domestic violence would also aid victims. Texas should also require statewide cross-training of child abuse, domestic violence, and animal welfare personnel; require cross-reporting of all forms of abuse in a

statewide database; and help animal and domestic violence shelters work together to offer safe places for abused women to bring their pets.

*Joan E. Schaffner, *Linking Domestic Violence, Child Abuse, and Animal Cruelty*, ABA TIPS Animal L. Comm. Newsltr. 5 (Fall 2006) (available at <http://ssrn.com/abstract=1001255> (accessed Apr. 3, 2011)).

Though there are laws against domestic violence, child abuse, and animal cruelty, the law has not explicitly recognized that there are connections between these forms of violence. The George Washington Law School Animal Welfare Project works to help implement laws to protect all victims of family violence. The author reviews research outlining what is known about the cycle of abuse within families and how various forms of violence are interrelated. She notes ways in which legal and social services could improve the current situation: mandating cross-reporting among social service agencies of all observations of abuse; allowing cruelty to pets to be used as grounds for courts to issue protective orders; including pets in orders of protection; and encouraging domestic abuse shelters to work with local animal shelters to provide "safe haven" housing for companion animals.

Frank. R. Ascione et al., *Battered Pets and Domestic Violence: Animal Abuse Reported by Women Experiencing Intimate Violence and by Nonabused Women*, 13 *Violence Against Women* 354 (2007).

This study reports on the experiences of animal abuse reported by 101 women residing at domestic violence shelters (the S group) versus a comparison group of 120 women who had not experienced domestic violence as adults (the NS group). The authors found that threats to hurt or kill pets were reported by 52.5% of participants in the S group but by only 12.5% of participants in the NS group. Actual abuse or killing of pets was reported by 54% of participants in the S group, but by only 5% of participants in the NS group. S group children who had been exposed to pet abuse were also more likely to display behavior problems than were children in the NS group. Overall, 22.8% of the S group women reported they had delayed going to the shelter out of concern for their pets; this figure was higher if the pet had been previously threatened and harmed or if the woman did not have children. A regression analysis demonstrated that violence by the batterer against a human victim was a significant predictor of pet abuse even when controlling for other variables. Areas related to this topic that require further research are also discussed.

Mary Lou Randour, *Integrating Animals into the Family Violence Paradigm: Implications for Policy and Professional Standards*, 7 *J. Emotional Abuse* 97 (2007).

According to the author, there has been an increasing trend to examine family violence within an "ecological framework" so as to not divide child abuse, partner abuse, elder abuse, and animal abuse into separate categories. However, it is important to be able to track incidents of animal cruelty separately in crime reporting, child abuse, and domestic violence statistics. The author describes various federal, state, and local databases in which animal cruelty is either recorded under miscellaneous crimes (in one

county, under traffic offenses) or not recorded at all. This situation makes it impossible to extract demographic characteristics of animal abusers, examine factors that may be related to animal cruelty, determine how animal cruelty is related to interpersonal violence, or track offenders. The author asserts that, in addition to improvements in crime statistics and legislation, professional associations such as the American Psychological Association and the National Association of Social Workers, among others, also need to change their outlook on this issue. Professional associations do not yet recognize the assessment and treatment of animal cruelty as an emerging treatment area, and no states currently require continuing education on this topic. Professional associations need to encourage their practitioners to explore the role of pets in the lives of children and families because “if the question is not asked, the treatment will not be offered, and the problem will continue.” The author concludes with descriptions of three instruments that may be helpful in assessing a client’s animal-related experiences.

Catherine A. Simmons & Peter Lehmann, *Exploring the Link between Pet Abuse and Controlling Behaviors in Violent Relationships*, 22 J. Interpersonal Violence 1211 (2007).

This article describes a study involving nearly 1,300 female pet owners at an urban Texas domestic violence shelter between 1998 and 2002. The authors hypothesized that male batterers who also abused pets would use more forms of aggressive behavior and show greater use of controlling behaviors than male batterers who did not abuse pets. Twenty-five percent of women in the study indicated their batterer also committed some form of pet abuse. These batterers also committed sexual violence, marital rape, emotional violence, and stalking more often than batterers who did not abuse pets. Batterers who abused pets also demonstrated more controlling behaviors, especially if they had killed a pet. While the study was unable to conclusively demonstrate that pet abuse is used as a form of controlling behavior, the authors note that “the presence of pet abuse in violent relationships should, at a minimum, be considered a red flag for [domestic violence] workers addressing safety concerns.”

*Allie Phillips, *The Few and the Proud: Prosecutors Who Vigorously Pursue Animal Cruelty Cases*, 42 Prosecutor 20 (July–Sept. 2008).

It is important for prosecutors to be aware of animal abuse because it indicates serious antisocial behavior on the part of the client, can have negative developmental impacts on children who witness it, and has a strong connection to interpersonal and family violence. Felony laws for animal cruelty help effectively punish offenders and protect the community. In addition, some felony laws include provisions for psychological evaluation, counseling, and banning the offender from future ownership of, or contact with, animals. Including pets in protection orders prevents them from being targets of abuse and allows the pet to be a source of comfort to the family. Prosecutors need to be aware that animal cruelty cases can bring out the greatest support for their work as well as the greatest criticism. Properly handled, an animal cruelty case can create positive publicity and confidence in the justice system. In fact, in the author’s experience, it has been easier to gain community support for cases involving animals than for children or adults. Prosecutors have the power to influence community opin-

ions on animal abuse and to use animal abuse cases as educational opportunities for the public. While not all prosecutors may be interested in animal cruelty cases *per se*, the author hopes they will understand and never minimize the importance of pursuing justice against animal abusers.

*Susan L. Pollet, *The Link between Animal Abuse and Family Violence*, N.Y. L.J. 4, (Jan. 28, 2008).

Animal abuse that occurs in conjunction with domestic violence usually takes the form of threatening, injuring, or killing a pet as a way to establish control over a human victim; using animals to sexually violate a victim or to gain sexual satisfaction; or the abusing of animals by children who are themselves victims of abuse. Because domestic violence victims are often isolated from families and friends by their abusers, they may be especially close to their pets or farm animals, and many victims will not flee an abusive situation out of fear of what may happen to their animals if they leave. State legislatures have responded to this situation in three ways: including animals in protective orders, requiring cross-reporting of human and animal abuse between social service and animal welfare agencies, and re-codifying certain forms of animal abuse as felonies. The author concludes with a review of New York's efforts in this area.

Frank R. Ascione & Kenneth Shapiro, *People and Animals, Kindness and Cruelty: Research Directions and Policy Implications*, 65 J. Soc. Issues 569 (2009).

This article reviews over twenty-five years of research on animal abuse, its relationship to children's mental health and intimate partner violence, and recent advances in legal and social policy issues related to this field. The authors then examine animal abuse within the context of a three-tier preventive public health model. Primary prevention focuses on education efforts, including the emerging field of animal law and other criminal justice and legislative developments. Secondary prevention includes identifying and working with at-risk populations. Lastly, tertiary prevention encompasses intervention with and treatment for convicted offenders, including the provisions for recommended or mandated counseling now included in some states' anti-cruelty statutes.

Sarah DeGue & David DiLillo, *Is Animal Cruelty a "Red Flag" for Family Violence?: Investigating Co-Occurring Violence Toward Children, Partners, and Pets*, 24 J. Interpersonal Violence 1036 (2009).

The article reports on a study of 860 college students that assessed the students' self-reported exposure to child abuse, family violence, and animal abuse. Nearly half of the sample reported experiencing at least one form of family violence during childhood, and almost 23% of respondents were exposed to some form of animal cruelty. Victims of family violence were more likely to report either witnessing or perpetrating acts of animal cruelty than non-victims, and those who witnessed or perpetrated animal abuse were also more likely to report at least one form of family violence than those who had no exposure to animal cruelty. Witnessing or perpetrating animal cruelty increased the odds of child abuse or domestic violence in the home by one and a half to two times, suggesting that animal abuse may be a more reliable indicator of family violence than family violence is of animal abuse. The authors note that these results lend support to the prac-

tice of making referrals to child welfare services when authorities respond to an animal cruelty complaint.

III. INCLUSION OF ANIMALS IN PROTECTION ORDERS; HOUSING PETS IN DOMESTIC VIOLENCE SHELTERS AND “SAFE HAVEN” PROGRAMS

A. Websites and Web-Based Documents

AHIMSA HOUSE, *Safe Havens Directory, List of Programs Providing Shelter for Animals/Pets of Domestic Violence Victims*, <http://www.ahimsahouse.org/directory> (updated Sept. 15, 2010) (accessed Apr. 3, 2011).

This website features a state-by-state listing of programs that provide housing for the pets of domestic violence victims, either on-site at domestic violence shelters or off-site at animal care facilities, foster homes, or other settings.

*Phil Arkow & Tracy Coppola, *Expanding Protective Orders to Include Companion Animals*, <http://www.americanhumane.org/assets/pdfs/interaction/hab-link-ppo-companion-animals.pdf> (accessed Apr. 3, 2011).

This document opens with a review of research on the connections between family violence and animal abuse and the reasons why it is critical to the safety of abuse victims, as well as to their pets, to include the companion animals in protective orders. Part II outlines the various legal options available to battered women, including an overview of what protective orders are, how they function, and the general steps needed to obtain one (with the caveat that details will differ from state to state). Part III includes sample protective order statutes that include companion animals from Maine, Vermont, and New York.

*Phil Arkow, *Expanding Domestic Violence Protective Orders to Include Companion Animals*, 8 ABA Commn. on Dom. Violence eNewsltr. (Summer 2007), <http://www.abanet.org/domviol/enewsletter/pdfs/arkow.pdf> (accessed Apr. 3, 2011).

This article describes the behaviors abusers may use to control their victims and the effects animal abuse may have on family members. It encourages attorneys, victim advocates, public defenders, and prosecutors to routinely ask domestic violence victims about animal abuse or maltreatment. The article also asserts that attorneys should help clients consider animals in their safety planning, including referrals to “safe haven” programs. Animals can also be itemized in protection orders, separation orders, or other court orders so as to clarify issues of ownership or custody. The link between animal abuse and domestic violence needs to be brought to wider attention in law schools and should be a topic of discussion at judicial and bar association conferences. Attorneys should also support legislation to include pets in protective or restraining orders in order to protect all vulnerable members of a family.

*Phil Arkow, *Pets in Protection Orders by State as of: April 6, 2010*, <http://new.abanet.org/domesticviolence/PublicDocuments/PPO - Summary by State.pdf> (accessed Apr. 3, 2011).

This chart summarizes enacted laws and pending bills that relate to including animals in protection orders. For each state, the relevant statute (if enacted) is cited, with a summary of the legislation and excerpts from the enacted language. For pending legislation, the bill number and date is included as well as whether the bill is still pending, has died, has failed to advance, or was postponed.

Frank R. Ascione, *Safe Havens for Pets: Guidelines for Programs Sheltering Pets for Women Who Are Battered* (2000) (available at http://www.vachss.com/guest_dispatches/ascione_safe_havens.pdf (accessed Apr. 3, 2011)).

This 300-page report documents the results of a survey of over forty domestic violence and animal welfare agencies operating, or beginning to operate, programs to shelter the pets of battered women. Topics covered include policies and procedures, challenges and obstacles and how they have been overcome, confidentiality and safety issues, program evaluation, and how to incorporate questions about animal abuse into assessment and other processes. The report includes numerous samples of publicity pieces, internal forms, and other documentation from the surveyed shelters. Recommendations for agencies developing their own "safe haven" programs are also provided.

Humane Socy. of the U.S., *Online Directory of Safe Havens for Animals™ Programs*, http://www.humanesociety.org/issues/abuse_neglect/tips/safe_havens_directory.html (updated July 21, 2009) (accessed Apr. 3, 2011).

This state-by-state directory includes names and contact information for "safe haven" programs within the U.S. that shelter the pets of domestic violence victims.

Humane Socy. of the U.S., *Starting a Safe Havens for Animals™ Program* (2004) (available at http://www.humanesociety.org/assets/pdfs/2004_SafeHavens_Guide.pdf (accessed Apr. 3, 2011)).

This guide is intended to help animal care and human services professionals and community organizations establish arrangements for the off-site sheltering of pets of residents of domestic violence shelters. Topics covered include determining a community's need for such a service, inter-agency collaboration, establishing geographic and service parameters, confidentiality issues, and the practical aspects of setting up sheltering arrangements. The guide also discusses legal issues, potential sources of funding, and publicizing a program. An appendix includes sample forms and a safety planning handout to give to domestic violence victims with pets.

Intl. Inst. for Animal L., *The Domestic Abuse Animal Protection Act*, <http://www.animallaw.com/protectiveordermodellaw.htm> (accessed Apr. 3, 2011).

This one-page model law proposes legislation regarding the inclusion of animals in protective orders. It includes a purpose statement, model language for the legislation, suggested penalties, and a brief commentary on why the legislation is needed.

*Allie Phillips & Am. Humane Assn., *Pets and Women's Shelters (PAWS)TM Program Startup Guide*, <http://replay.waybackmachine.org/20090219122546/http://www.americanhumane.org/assets/docs/human-animal-bond/HAB-LINK-paws-startup-guide.pdf> (accessed Apr. 3, 2011).

This guide is intended to help domestic violence shelters establish and manage a program to house the pets of domestic violence victims on-site. Because pets can provide emotional support to victims fleeing an abusive situation, housing pets on-site can aid in family members' adjustment, as well as ensure that the pets are protected from abuse that might occur if they are left behind. Advice is provided about establishing policies and procedures regarding the type and number of pets that can be accepted, where to locate the pets, and how to deal with concerns such as allergies and noise. The guide recommends that a shelter also develop a Memorandum of Understanding with at least one animal shelter to accept animals that cannot be housed at the domestic violence shelter for some reason. A veterinarian should be available to provide initial examination of animals for signs of abuse and to provide expert testimony in cases of suspected animal cruelty. The guide also discusses possible solutions to legal issues that can arise in conjunction with a PAWS program, including: maintaining confidentiality of the shelter's location and its residents, obtaining copies of court orders and pet protection orders, custody and ownership issues, insurance, meeting local zoning and licensing requirements, and absolving the shelter from legal claims should pets escape, be harmed, or harm other shelter residents.

B. Articles

*Michelle Lerner, *From Safety to Healing: Representing Battered Women with Companion Animals*, 4 Dom. Violence Rep. 17 (Dec./Jan. 1999).

Because legal advocates may be the first or only contact that a battered woman has with the social services field, it is important that such advocates understand the important roles that companion animals play in a victim's life and in the lives of a victim's children. The author presents reasons why batterers abuse companion animals along with reasons why such abuse correlates with a higher risk of lethality to the woman being battered. The author notes that animal abuse is socially and legally sanctioned, that penalties for animal abuse are generally light, and that battered women are usually reluctant to file complaints of animal abuse against their abuser because they fear retaliation. The author also reviews the effects of witnessing the abuse of pets on battered women and their children. Many victims delay leaving the home out of concern for their pets or risk their safety by returning to the home to care for animals left behind. Leaving a pet in a potentially dangerous environment can also add to the

anxiety, trauma, and confusion of a family in an already difficult transition.

*Michelle Lerner & Joan Zorza, *What Advocates Can Do for Battered Women with Companion Animals*, 4 Dom. Violence Rep. 35 (Feb./Mar. 1999).

In this continuation of Lerner's *From Safety to Healing: Representing Battered Women with Companion Animals*, the authors suggest specific ways for legal advocates to help clients who have companion animals. It is critical to find a safe place to bring the animals and a way to bring the animals there. Some domestic violence shelters allow animals on-site and others have made arrangements with local animal shelters or veterinarians; programs for the homeless may also be able to provide care. If there are no such programs in the area, advocates should consider setting them up. All persons assisting a battered woman need to determine whether any pets in the home may be in danger and, if so, whether the woman wants assistance in protecting them. The authors provide a checklist of important items clients should take with them when removing an animal and include steps advocates can take to help clients prove ownership. If animals have been left behind, advocates can assist the client in retrieving them through abuse prevention orders, vacate orders, or other methods. The authors encourage advocates to get involved with efforts regarding cross-training and cross-reporting programs as part of coordinated responses to domestic violence, and to lobby for changes to protection order statutes to explicitly include animals.

*Dianna J. Gentry, Student Author, *Including Companion Animals in Protective Orders: Curtailing the Reach of Domestic Violence*, 13 Yale J.L. & Feminism 97 (2001).

The author focuses on the need to explicitly include companion animals in protective orders as part of Oregon's Family Abuse Prevention Act and describes a model statute that could achieve that end. She also discusses the effect such changes may have on due process and the need for pre-hearing seizure to protect companion animals from possible harm. In addition, the author argues that custody of companion animals should be approached on the basis of the "best interest of the animal." The article includes an overview of the assistance peace officers are allowed to provide to victims of domestic violence at the scene of a domestic violence incident and to those under protective orders. It also briefly reviews the history of the status of companion animals as property, research demonstrating the link between animal abuse and family violence, and reasons why the criminal justice system often fails to prosecute animal abuse cases.

Catherine A. Faver & Elizabeth B. Strand, *To Leave or to Stay?: Battered Women's Concern for Vulnerable Pets*, 18 J. Interpersonal Violence 1367 (2003).

This article reports on a 2001 to 2002 study that attempted to determine whether there were any differences between rural and urban battered women in their concern for their pets, and the impact that this concern had on decisions to flee abusers. Of the forty-one women who provided complete data, twenty reported that their partner had threatened a pet, and

nineteen reported their abuser had harmed a pet. Slightly higher proportions of rural women reported that their partner had threatened and/or harmed their pets, and more rural women than urban reported that their concern for their pets had affected their decisions to leave their batterers. The overall percentage of battered women who also reported threat or harm to their pets is consistent with previous research studies. Because pets may be a significant factor in a battered woman's decision to leave her abuser, shelters need to ask women about pets as part of their intake procedures and need to work with animal welfare agencies and veterinarians to develop "safe haven" programs to securely house the pets of women fleeing an abusive home.

Lori R. Kogan et al., *Crosstrails: A Unique Foster Program to Provide Safety for Pets of Women in Safehouses*, 10 *Violence Against Women* 418 (2004).

This article describes the experience of Crossroads Safehouse in Colorado in establishing and operating a "safe haven" foster program to house the pets of domestic violence victims. When previous informal boarding arrangements proved problematic, Crossroads developed the Crosstrails program, which fostered more than ninety animals over the course of four years. Feedback from shelter staff and clients who have taken advantage of the program has been overwhelmingly positive. The article reviews the initial questions and concerns that shelter staff had about establishing the program and how they addressed those concerns. The process of placing an animal in the foster program is described from the point of initial phone contact with the client through retrieval from the foster location, including paperwork associated with each step.

*Janet Mickish & Kathleen Schoen, *Protection Orders and Animal Abuse in Family Violence*, 35 *Colo. Law.* 105 (Sept. 2006).

This article encourages attorneys, judges, advocates, and mediators to determine the status of animals in the care of clients, defendants, and petitioners, and to include provisions for companion, service, and farm animals in protection orders when appropriate. The authors provide an overview of the evolution of Colorado law related to civil and criminal protection orders and cite studies showing an improved quality of life for the majority of battered women who have obtained a civil protection order. The Domestic Violence Response Team (DVERT) at the Center for Prevention of Domestic Violence in Colorado Springs has recorded numerous examples of animal abuse. Some sample questions from the DVERT referral form are provided in the body of the article and in footnotes; law enforcement professionals may wish to include similar questions in their report forms. The authors provide suggestions for how to incorporate animals into protection orders and also describe "safe haven" programs that allow victims to bring their animals with them when they leave a violent situation.

*Regina Cabral Jones, *Chapter 205: Including Pets in Domestic Violence Protective Orders*, 39 *McGeorge L. Rev.* 469 (2008).

In this article, the author analyzes the impact of Chapter 205, which was amended by the California Legislature in 2007 to permit courts to include companion and other animals in protective orders. Including animals in protective orders denies the batterer access to the animals and enhances

victims' perceptions that the law takes animal abuse seriously. One shortcoming of Chapter 205 is that it does not explicitly address what is to be done with an animal after a victim flees an abusive situation. The author notes some possible solutions, including "safe haven" programs, which arrange for animals of domestic violence victims to be housed in local shelters, in veterinary clinics, or with foster families. Another solution could be modeled after a program in Ohio, which places the pets of domestic violence victims with inmates in women's prisons; the animals are safely housed and the inmates benefit from the animals' presence. The amendments to Chapter 205 will aid those needing to leave their abusers by ensuring their pets will have the same safeguards as their children and property.

Tara J. Gilbreath, Student Author, *Where's Fido: Pets are Missing in Domestic Violence Shelters and Stalking Laws*, 4 J. Animal L. 1 (2008).

State and federal laws do not reflect the importance of companion animals to domestic violence victims. This article addresses two areas where this omission places a victim in danger: the inability or refusal of domestic violence shelters to arrange housing for pets, and the omission of threats of violence to pets from anti-stalking laws. Bringing pets into a domestic violence shelter or a cooperative "safe haven" program currently raises many issues, including the risk of allergies, disease, or injury; the liability of the shelter for mishaps involving the animal; proof of ownership; and confidentiality. However, victims may delay or refuse to leave an abusive environment if there is no safe place to house their pets. A successful model for improved legislation may be found in Louisiana laws enacted post-Hurricane Katrina that limit a shelter's liabilities when it is housing animals during an emergency.

No current anti-stalking laws or model laws consider the threat of violence or actual violence to a pet as harassment or a basis for instilling fear. States need to amend their statutes to explicitly include companion animals in their anti-stalking legislation. In this way, states can explicitly acknowledge threats and violence to pets can cause a stalker's victim to feel frightened, harassed, or intimidated, or to suffer emotional distress.

Joshua L. Friedman & Gary C. Norman, *Protecting the Family Pet: The New Face of Maryland Domestic Violence Protective Orders*, 40 U. Balt. L. Forum 81 (2009).

This article traces recent efforts in Maryland to include companion animals in peace orders and domestic violence protective orders. Though many Maryland domestic violence shelters are establishing "safe haven" programs to house the pets of domestic violence victims, the Maryland legislature has been reluctant to take steps to explicitly include pets and service animals in protective orders. The article describes the legislative relief currently available to domestic violence victims in Maryland and the current status of domestic violence protection measures in other states and at the federal level. The authors then describe recent attempts to include animals in protective orders in Maryland. Though there was some success in the legislature, the Judiciary Committee in the House of Delegates dismissed the need for action on the grounds that the legislation dealt with an animal issue, not a human issue. The authors argue the legislation should not be considered "non-meritorious" simply because it is related to protecting ani-

mals, especially when this particular legislation can also be seen as protecting humans.

*Sherry Ramsey et al., *Protecting Domestic Violence Victims by Protecting Their Pets*, 19 *Juv. & Fam. Just. Today* 16 (Spring 2010).

As Hurricane Katrina demonstrated, many people will not leave their homes without their pets even when their own lives are in danger. Similarly, many domestic abuse victims will not leave their homes if it means abandoning their companion animals. Because pets are still considered property, if a pet is not listed on a temporary restraining order (TRO), the police and courts may be reluctant to become involved with what they consider to be a marital property dispute. At least thirteen states now allow pets to be included in restraining orders and others are considering such laws. Some states also have laws that explicitly acknowledge the connection between family violence and pet abuse: for example, Indiana considers the harm or killing of a vertebrate animal with the intent to threaten a family member to be an act of domestic violence. In the absence of specific provisions in a state's laws, it is potentially possible to include pets in TROs through various alternative means outlined in the article. The article also includes an overview of "safe haven" programs, which provide housing for pets while their owners are in a domestic violence shelter or other temporary housing.

IV. RESPONSE TO THE ISSUE BY VARIOUS PROFESSIONS: TRAINING/AWARENESS INITIATIVES, CROSS-REPORTING, AND COORDINATION OF EFFORTS TO COMBAT BOTH HUMAN AND ANIMAL ABUSE

A. *Information Relating to Multiple Professions*

1. *Websites and Web-Based Documents*

Natl. Link Coalition, <http://www.nationallinkcoalition.org> (accessed Apr. 3, 2011).

This website provides an overview of "Link" issues related to animal abuse and interpersonal violence, including ways for human services and other professionals to get involved with prevention, intervention, and cross-reporting efforts. A guide to setting up and organizing a community-based coalition includes a case study on the formation of the Maine Linkage Project. A state-by-state listing of operational or emerging community coalitions is available, as are links to additional websites, bibliographies, videos, articles, and other materials.

2. *Books and Book Chapters*

Star Jorgensen & Lisa Maloney, *Animal Abuse and the Victims of Domestic Violence*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 143 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

This chapter describes the authors' experiences with clients at the Center for Prevention of Domestic Violence in Colorado who reported incidents of

animal abuse. Categories related to animals were added to all Domestic Violence Checklists in the three programs the Center administered. Over a three-year period, animals were reported as being threatened, abused, or killed in 12–15% of total intakes for the Advocacy and Safehouse programs; however, less than 1% of clients in a program for domestic violence offenders self-reported abusing or killing animals. (The authors note this low number is not unexpected, given that many clients in such programs also deny abusing children or deny being abusers entirely.) The chapter next reviews the structure, protocols, and services of the Domestic Violence Enhanced Response Team based in Colorado Springs. The authors recommend that all personnel working with domestic violence victims or perpetrators learn about the relationships between animal abuse and domestic violence and collect data about the types and incidence of animal abuse. The authors also recommend that programs for domestic violence offenders need to include ways of encouraging clients to disclose animal abuse and to address animal abuse as part of their treatment plans.

*Barbara W. Boat et al., *Collaborating to Assess, Intervene, and Prosecute Animal Abuse: A Continuum of Protection for Children and Animals*, in *The International Handbook of Animal Abuse and Cruelty: Theory, Research, and Application* 393 (Frank R. Ascione ed., Purdue U. Press 2008).

This chapter describes the importance of mental health professionals, child protection professionals, and prosecuting attorneys working together to discover, report, assess, prosecute, and prevent animal abuse in the context of child abuse and domestic violence. Information is presented via a case scenario featuring concurrent child and animal abuse. The authors first describe why it is important for mental health professionals to assess a child's experiences with animals, and provide a sample instrument (*The Childhood Trust Survey on Animal-Related Experiences*) to aid in this process. The authors include a second instrument, the *Family-Based Risk Assessment*, which child protection professionals can use to assess potential triggers for abusive behavior and to identify which family members may be most at risk of abuse. The chapter concludes with a detailed description of steps prosecutors can take to incorporate animal-related offenses in child abuse or domestic violence cases and includes *A Prosecutor's Checklist of Abusive Conduct Toward Animals* in an appendix to aid in gathering evidence. Other suggested actions for prosecutors are: including animal welfare professionals in multidisciplinary investigative teams; developing memoranda of understanding between agencies to indemnify reporters of animal abuse or neglect; proposing legislation to mandate cross-reporting of human and animal abuse by law enforcement, child or adult protective services, and animal control officers; and ensuring that prosecutors charge offenders with all forms of abuse, including animal abuse.

Mary Lou Randour & Howard Davidson, *A Common Bond: Maltreated Children and Animals in the Home: Guidelines for Practice and Policy* (Am. Humane et al. 2008) (available at www.humanesociety.org/assets/pdfs/abuse/common_bond_08.pdf (accessed Apr. 3, 2011)).

This guide, available as a free download or as a print copy upon request, is intended to assist child welfare professionals, judges, attorneys, court per-

sonnel, and animal protection officers in protecting children, families, and animals from abuse and neglect. It opens with an overview of the importance of animals in children's lives and of the long-lasting negative effects that witnessing animal abuse can have on children's development. The authors assert it is important for all professionals who interact with families and children to incorporate questions and observations about animal-related experiences into screening, assessment, and investigations; the guide provides sample questions and lists of assessment tools relevant to this goal. Also provided is information on incorporating animal-assisted activities and animal-assisted therapies into treatment programs; guidelines for improving laws and policies regarding cross-reporting and cross-training between agencies; issues related to confidentiality in reporting; and how evidence of animal abuse can be taken into account during disposition, sentencing, and custody and visitation decisions. The authors recommend strengthening criminal laws related to animal abuse and mandating counseling for any juvenile convicted of animal cruelty. Finally, the authors recommend that incidents of animal abuse be tracked as part of the National Child Abuse and Neglect Data System and other similar state or nationwide statistical databases.

3. Articles

Phil Arkow, *The Relationships between Animal Abuse and Other Forms of Family Violence*, 12 Fam. Violence & Sexual Assault Bull. 29 (Spring/Summer 1996).

Today's system of child protective services is actually an offshoot of the animal protection movement. According to the author, although the two professions developed separately, the growing recognition that animal abuse is part of a pattern of dysfunctional family behaviors is now bringing the professions together again. Cross-reporting and cross-training between animal protection and human services agencies can help with the detection of both human and animal abuse, but, for a variety of reasons, the two professions have been reluctant to become involved in each other's areas of expertise. Coordinated, community-wide responses will hopefully reduce violence toward women and children as well as toward animals.

*Janet Mickish & Kathleen Schoen, *Colorado Alliance for Cruelty Prevention: Safe Pets, Safe Families, Safe Communities*, 33 Colo. Law. 37 (Apr. 2004).

Outside of the immediate family, professionals in civil and criminal justice, child maltreatment services, and animal welfare services are often the first to observe incidents of abuse in the home. However, many of these first responders lack information about what to do if they suspect co-occurring abuse of people and animals. To remedy this situation, the Colorado Alliance for Cruelty Prevention: Safe Pets, Safe Families, Safe Communities was established in 2003 to cross-educate professionals about the connection between animal abuse and interpersonal violence. The authors review the development of animal and child protection laws, noting that the first legal intervention in a child abuse case in the U.S. was carried out using animal protection statutes. They then briefly describe research done on the co-occurrence of animal and human abuse. Going forward, the Alliance intends

to foster the education of legal, animal welfare, and child welfare professionals so they can effectively recognize, intervene in, and ultimately prevent all forms of family violence.

*Rod Walker et al., *The Domestic Violence Enhanced Response Team: A Coordinated Response to Domestic Violence, Child Maltreatment, and Animal Abuse*, 19 *Protecting Children* 29 (2004).

The work of Colorado Springs' Domestic Violence Enhanced Response Team (DVERT) program is described in detail in this article, including staff organization at the DVERT office, partnering agencies, and the case management process. Most cases come to DVERT as referrals from partner agencies but can be submitted by any person or agency in the community. As cases are investigated, they fall into three categories: No Follow-Up (usually because the case does not involve domestic violence), Information and Referral (cases that would benefit from some intervention but which do not present a significant risk of lethality), and Intensive. However, an Information and Referral case may be reclassified as Intensive if an increased risk of lethality is discovered during the information-gathering process. A case study illustrating the DVERT process and an animal welfare officer's personal experience with DVERT are also included.

B. Social Work and Adult, Family, and Child Protective Services

1. Websites and Web-Based Documents

Am. Humane Assn., *Quick Facts: Why is the Link between Animal Abuse and Family Violence Important for . . . Social Workers?*, <http://replay.waybackmachine.org/20090131061753/http://www.americanhumane.org/assets/docs/human-animal-bond/HAB-LINK-social-workers.pdf> (accessed Apr. 3, 2011).

This handout describes the ways in which animal abuse is both a public health and a human welfare issue. It also describes the unique position child protection workers have to observe and investigate multiple forms of family violence, and how animal abuse can be an indicator of children at risk to themselves and to others. Also included are resources for further reading and suggested actions social workers can take regarding "Link" issues.

Am. Humane Assn., *Quick Facts: Why is the Link Important for . . . Adult Protective Services?*, <http://replay.waybackmachine.org/20090131061730/http://www.americanhumane.org/assets/docs/human-animal-bond/HAB-LINK-adult-protective-services.pdf> (accessed Apr. 3, 2011).

Adult protective services caseworkers often encounter instances of animal abuse, neglect, and hoarding when dealing with their clients. This handout describes the emotional ties that elders have with their pets, common difficulties elders have in caring for animals, and the importance of cross-reporting between animal welfare and social services professionals. Resources for further reading and suggested actions caseworkers can take when working with their clients and their communities are also provided.

2. Books and Book Chapters

Suzanne Barnard, *Taking Animal Abuse Seriously: A Human Services Perspective*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 101 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

Over time, the government has played an increasing role in protecting children from abuse. However, the responsibility for protecting animals is still largely based at the community level. While a uniform definition of what constitutes child abuse and neglect is still under development, it is further along than a uniform definition of what constitutes animal abuse. Collaboration between human services and animal welfare agencies can help protect both children and animals, but such efforts are complicated by concerns about confidentiality, "turf," funding, and "public perceptions that violence to one population is more significant than violence to the other." Because so much child and animal abuse goes unreported, it is critical that child welfare and animal protection workers learn the signs of abuse in both populations so as to increase the likelihood of discovery. The earlier an abuser is identified, stopped, and treated, the greater the chance that further family violence can be prevented.

Barbara W. Boat, *Abuse of Children and Abuse of Animals: Using the Links to Inform Child Assessment and Protection*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 83 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

Professionals in many fields often remark that they have never thought about the connection between animal abuse and family violence until it is brought to their attention; then, almost inevitably, they are able to cite examples of it from their own experience. Since children may disclose the abuse of a pet before they will talk about their own abuse, incorporating questions about violence or threats to pets can reveal significant information. Children themselves may abuse animals, and the many possible reasons for this behavior need to be explored and understood in order to design effective interventions for them. Cross-reporting and cross-training among human and animal services professions may increase the chance of detecting both animal and child abuse. The appendix to this chapter reprints the *Boat Inventory on Animal-Related Experiences*, which can be used in a variety of settings and is designed to elicit information about a client's experience with animal-related trauma.

Robert P. Hall, *The Link's Direct Connection to Child Protective Services*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 109 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

Although the child protection and animal protection fields arose from the same roots and originally followed similar service models, they began to diverge in the early twentieth century. However, there is now growing recognition that what constitutes a dysfunctional family is not simply "violence against children," but violence itself. Given this recognition, child protective services, animal protective services, and domestic violence ser-

vices should find common ground rather than compete separately for scarce public and private sector resources. The author notes that fewer cases in each specialty will “fall through the cracks” if the various services collaborate to investigate and cross-report. In addition, each profession has many types of education and preventive services in common. The author suggests that, because child abuse and animal abuse are both forms of the same problem, child protection and animal protection professionals need to work together to assist dysfunctional families more effectively.

Lynn Loar, *“I’ll Only Help You If You Have Two Legs,” or, Why Human Service Professionals Should Pay Attention to Cases Involving Cruelty to Animals*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 120 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

Victims of animal, child, and elder abuse share many characteristics: they often need constant supervision, they may complain or be noisy, they may engage in stubborn or destructive behaviors, and they may have toileting issues. These demanding traits may result in abusive or negligent behaviors on the part of caregivers regardless of the number of legs of the victim. The physical, emotional, and behavioral indicators of abuse or neglect are also remarkably similar for both people and animals. Because animal abuse or animal neglect is often more readily reported by outsiders than child or elder abuse, animal abuse can be used as a gateway to discover other victims of abuse in a home. It is critical that dysfunctional behavior be addressed comprehensively across all species and ages. (The author notes that while we may have sympathy for an elder whose pet is being abused by a child in order to control the parent, the child likely learned the abusive behavior from the parent in the first place.) The chapter also describes examples of collaborative efforts between animal control, juvenile, and social work agencies, and it concludes with descriptions of humane education programs that teach gentleness, compassion, boundary-setting, and nonviolent methods of behavior management.

Barbara W. Boat, *Links Among Animal Abuse, Child Abuse, and Domestic Violence*, in *Social Work and the Law: Proceedings of the National Organization of Forensic Social Work, 2000* 33 (Ira A. Neighbors et al. eds., Haworth Press 2002).

The child protection movement arose out of the animal protection movement in the nineteenth century, so it is logical to begin a discussion of child abuse by first discussing animal abuse. Individuals who are charged with animal abuse are three to five times more likely to also have been arrested for violent offenses, property crimes, or drug-related offenses. Cruelty to animals is an early sign of conduct disorder in children, and incorporating questions about animals into interactions with children can alert a caseworker to potentially dangerous situations. A child’s experiences with animals, both positive and negative, can be major factors in intervention and treatment decisions. In domestic violence situations, batterers often use animals as a way to establish control over their victims. Co-existing partner and animal abuse is considered a sign of potentially increased levels of violence and lethality. Given these links, it is important for social services and animal welfare professionals to work together to implement

earlier detection of, and intervention in, all forms of abuse. An appendix includes questions from the *Boat Inventory on Animal-Related Experiences*.

Catherine A. Faver & Elizabeth B. Strand, *Unleashing Compassion: Social Work and Animal Abuse*, in *The International Handbook of Animal Abuse and Cruelty: Theory, Research, and Application* 175 (Frank R. Ascione ed., Purdue U. Press 2008).

This chapter opens with reasons social workers should care about animal abuse, then reviews various definitions of what constitutes animal abuse (including forms of “socially acceptable” violence toward animals), and describes the difficulties in assessing the true extent of animal abuse in society. The authors next provide an overview of the various forms of family and community violence that have been linked with animal abuse. According to the authors, there are many ways social workers can help both people and animals in their practice. Social workers can promote the principles of humane education in their interactions with clients, include questions about animals and violence towards them in their assessments, and educate other professionals with whom they are in contact (such as teachers, prosecutors, domestic violence workers, and humane society workers) about the connection between animal abuse and interpersonal violence. They can also develop contacts with animal welfare organizations and participate in community coalitions that work to prevent family violence. Such coalitions can: lobby for stronger laws against animal abuse and better enforcement of the laws that do exist; work to establish cross-training and cross-reporting between human services and animal welfare organizations; develop “safe haven” programs to house the pets of battered women; support humane education and animal-facilitated therapy programs; work on public education campaigns; and collect data on the incidence and prevalence of animal cruelty within the context of family violence in their communities. The appendix to this chapter includes a list of resources and sample screening and assessment questions about animal abuse.

3. *Articles*

Clifton P. Flynn, *Why Family Professionals Can No Longer Ignore Violence toward Animals*, 49 *Fam. Rel.* 87 (2000).

Despite its disturbing nature and frequency, the abuse of animals by family members has received little attention from family scholars and professionals. This may be because society tends to value animals less than people. It may also be due to the erroneous perception that animal abuse is a rare occurrence, as well as the prevalence of socially sanctioned violence against animals (such as hunting and meat-eating). The author argues that animal abuse should receive attention not only because it is antisocial and illegal behavior and harmful to the animals themselves, but also because animal abuse may be a sign of concurrent family violence. Witnessing or perpetrating animal abuse has also been shown to cause developmental damage in children. As the author argues, lawmakers need to strengthen existing legislation by making animal abuse a felony and increasing the penalties for it. In addition, evidence of animal cruelty should be admitted in protection order hearings, in custody decisions, and as a basis for additional charges against an abuser. More empirical research is

needed on the impact of animal abuse on children. Clinicians should incorporate questions about animals into their interactions with children and battered partners, and should work with animal protection agencies on cross-training and cross-reporting. Family life educators need to be alert to signs that children may be abusing animals and should incorporate humane education principles into their programs. Taking steps to end animal abuse is an important step in reducing violence in society overall.

Catherine A. Faver & Elizabeth B. Strand, *Domestic Violence and Animal Cruelty: Untangling the Web of Abuse*, 39 *J. Soc. Work Educ.* 237 (2003).

The relationship between animal abuse and interpersonal violence has largely been ignored by the social work literature. The authors postulate that one of the reasons for this is the fragmentation of animal and human welfare concerns into separate fields that now perceive their interests as being in conflict. The mission of social work has always been to foster human welfare, and the profession now has the tools to recognize the importance of animals in the healthy functioning of individuals and families. Thus, the role of animal abuse in domestic violence needs to be examined. The authors review the research linking the abuse of animals to domestic violence and describe how this information can be integrated into the social work curriculum and field work. Social workers need to recognize the “diagnostic potential” of animal abuse within a family, be active in educating the public and other professions about the link between animal abuse and domestic violence, and work with coalitions of human and animal welfare professionals to engage in media campaigns, legislative action, cross-training and cross-reporting initiatives, and further research. An appendix lists additional social work curriculum resources.

C. Veterinarians and Animal Control Personnel

1. Websites and Web-Based Documents

Rural Victimization Project, Fla. St. U. Sch. Soc. Work Inst. for Fam. Violence Stud. et al., *Florida's Animal Abuse Investigators, Domestic Violence: A Competency-Based Training Manual for Florida's Animal Abuse Investigators*, <http://familyvio.csw.fsu.edu/rural/animal.html> (accessed Apr. 3, 2011).

This manual, available as an online tutorial or in printed book form, is intended to teach animal abuse investigators and other professionals how to identify and assist victims of domestic violence. While the program was written for rural investigators, the material is also applicable to professionals working in urban settings. Chapters provide learning objectives, case studies, and self-quizzes. Topics include understanding the dynamics and characteristics of domestic violence, the ways in which animals are involved in and impacted by domestic violence, the role of animal abuse investigators in identifying domestic violence victims, and methods of assessing domestic violence in clients. A quick reference tip sheet lists “red flags” of abuse and important information to convey to clients. Lists of relevant videos, websites, contact information for local, national, and international agencies, and other resources are also provided.

2. Books and Book Chapters

Frank R. Ascione & Suzanne Barnard, *The Link Between Animal Abuse and Violence to Humans: Why Veterinarians Should Care*, in *Recognizing and Reporting Animal Abuse: A Veterinarian's Guide*, 4 (Patricia Olson ed., Am. Humane Assn. 1998).

Because veterinarians may be the first or only professionals exposed to evidence that violence may be occurring in a family, it is important for them to recognize not only signs of potential animal abuse but also signs of potential child or spousal abuse. It is also important for veterinarians to know how and where to report this information. The authors outline some of the signs of physical, emotional, and verbal abuse in situations of child and spousal abuse; they then review the research linking animal abuse to interpersonal violence and the motivations children may have to abuse animals. Anyone can report child or spousal abuse, but in most states veterinarians are not mandated reporters.² Mandating that various professionals report animal cruelty would help bring more cases of both human and animal abuse to light. The authors argue that animal cruelty statutes need to be strengthened and the prosecution of offenders increased. Veterinarians can also play a significant role in preventing interpersonal and animal abuse by participating in community education and therapeutic programs that promote humane values.

Laurel Lagoni et al., *Why The Link Is Important to Animal Care, Animal Control, and Veterinary Personnel*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention*, 209 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

Given the prevalence of animal and child abuse, it is almost inevitable that animal caregivers will encounter evidence of either animal or child abuse at some point in their careers. The authors note several incidents where intervention in an animal-related incident eventually led to the discovery of child abuse. Because animal abuse may be the first form of violence expressed in a home, reporting an animal abuser to the appropriate authorities may prevent the abuser from moving on to human victims. By documenting injuries and medical findings inconsistent with what the client tells them, and by noting suspicious behavior, animal caregivers can help build legal cases against abusers. As the authors note, human victims may also be more willing to share information about their own abuse or the abuse of their pets' with an animal caregiver than someone they consider to be in a position of legal authority. Such unsolicited disclosures can be important evidence in the legal system and should be reported to the appropriate authorities for further investigation. Animal caregivers can also assist families as educators, as sources of emotional support, and as a

² See Phil Arkow, *Child Abuse, Animal Abuse, and the Veterinarian*, 204 J. Am. Veterinary Med. Assn. 1004, 1005 (1994) (explaining that few states mandate veterinarians to report suspected child abuse or animal abuse) (discussed *infra*); see also Phil Arkow, *The Veterinarian's Role in Preventing Family Violence: The Experience of the Human Medical Profession*, 19 *Protecting Children* 4 (2004) (stating that California and Colorado have mandatory reporting) (discussed *infra*).

source of referrals to community resources. While it may be difficult to report an abuse case, doing so can give the abuser an opportunity to get help as well as help children, partners, and animals in the family.

Ruth Landau, *The Veterinarian's Role in Recognizing and Reporting Abuse*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention*, 241 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

This chapter reports the results of a 1997 survey of U.S. and Canadian colleges of veterinary medicine that attempted to assess how well their curricula prepared students to identify and report incidents of animal and human abuse. A small corollary study of current veterinarians in Indiana was done to compare practitioners' perceptions and experiences with that of the schools. Nearly all schools (97%) responded it was likely their students would encounter incidents of severe animal abuse or neglect, and almost two-thirds responded it was likely their students would encounter incidents of human abuse. Eighty percent responded they believed there is a link between animal abuse and human abuse, with nearly two-thirds agreeing veterinarians should be mandated reporters of animal abuse. However, less than one-third agreed that veterinarians should be mandated reporters of human abuse. Among the Indiana practitioners, 90% believed there was a link between animal and human abuse. Sixty percent reported they had treated cases of severe animal abuse or neglect, and 89% said that they had reported these cases to an outside agency (usually to law enforcement, humane societies, referring veterinarians, or newspapers). Twenty percent had also encountered human clients who they suspected were being abused, but none of the practitioners reported those suspicions to an outside agency. Both the veterinary schools and the practitioners made arguments for and against requiring veterinarians to be mandated reporters of human or animal abuse. The author recommends that veterinary curricula be modified to increase the amount of time spent on education about animal abuse (currently seventy-six minutes) and human abuse (currently eight minutes). In addition, the author proposes that veterinary students be educated about the interrelationships between animal and human abuse and made aware of the issues surrounding mandated reporting.

Lisa Lembke, *Animal Abuse and Family Violence in a Rural Environment*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 228 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

The author, a veterinarian, notes that many of her veterinary colleagues are not comfortable with the idea of becoming mandated reporters of child abuse because they "only know animals." However, the author argues that, as humans, we all know how to detect signs of pain and distress in humans and other living things. A deterrent unique to rural veterinarians is that they usually work in small, closely knit communities where they fear reporting or testifying about suspected human or animal abuse will harm their practices. The rural environment has several additional challenges: Animal hoarders often move to the country to hide behind "no trespassing" signs, others abuse and kill animals under the guise of hunting, and sub-

standard practices of animal husbandry may be difficult to clearly identify as "cruelty." Other problems unique to the rural environment are the reluctance on the part of courts to deprive farmers of animals on which their income depends, the reluctance of rural communities to interfere in personal matters, and long distances that can make it difficult for battered spouses and children to flee their homes. The author notes, "In every animal cruelty case I have investigated, one or more of the human principals were socially dysfunctional, violent, sociopathic, mentally challenged, or mentally ill . . . There is virtually certain to be something else going on in addition to the animal-related problem." Veterinarians have a moral and social obligation to report abuse of both humans and animals. Mandated reporting laws that indemnify professionals who report abuse in good faith would make it less likely a veterinarian will suffer personally or professionally when reporting abuse.

Melanie S. Sharpe, *A Survey of Veterinarians and a Proposal for Intervention*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 250 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

This chapter reports the results of a national survey of small-animal practitioners that assessed the practitioners' attitudes about intervening in situations involving human or animal abuse. Eighty-six percent of respondents agreed that clients who abuse their pets are more likely to abuse their children, and half agreed that veterinarians have a responsibility to intervene in situations where family violence is suspected. Slightly more than half (54.6%) of respondents felt they had the necessary resources to help prevent animal abuse, but 85% reported they did not feel they had information and resources to help families prevent human abuse. Ninety-two percent also responded that veterinary education does not provide sufficient training in abuse prevention. The survey results suggest that veterinarians need more information about a number of issues: how to recognize both human and animal abuse; criteria for what constitutes abuse; which local agencies to contact; and their legal responsibilities. The author describes a resource list she developed that outlines actions veterinarians can take when spousal abuse, child abuse, or animal abuse is suspected, or if a child is suspected of abusing animals.

Phil Arkow & Helen Munro, *The Veterinary Profession's Roles in Recognizing and Preventing Family Violence: The Experiences of the Human Medicine Field and the Development of Diagnostic Indicators of Non-Accidental Injury*, in *The International Handbook of Animal Abuse and Cruelty: Theory, Research, and Application* 31 (Frank R. Ascione ed., Purdue U. Press 2008).

Veterinary professionals have been largely excluded from the reporting systems for child and elder abuse and domestic violence. Research indicates that batterers do take abused animals for veterinary care, and veterinarians do see suspected or confirmed cases of non-accidental injury (NAI) in their practices. However, a lack of uniformity in defining what constitutes animal abuse and the erratic enforcement of animal protection laws can limit the ability of veterinarians to become involved in animal abuse cases. The veterinarians surveyed feel inadequately trained to address the

complexity of human and animal abuse cases, and may be concerned that even if they do report suspected human abuse, the overworked social services system will not intervene. Professional codes of ethics vary as to what is morally (or legally) required of the practitioner, and there are also economic and confidentiality concerns. The authors address each of these concerns in turn. The chapter also discusses a possible framework for consistent terminology regarding abuse and includes lists of diagnostic indicators of and risk factors for NAI in pets.

3. Articles

Phil Arkow, *The Correlations between Cruelty to Animals and Child Abuse and the Implications for Veterinary Medicine*, 33 *Can. Veterinary J.* 518 (1992) (available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1481365/pdf/canvetj00057-0040.pdf> (Aug. 1992) (accessed Apr. 3, 2011)).

Originally closely allied, the fields of child abuse prevention and animal abuse prevention later separated and continued to develop independently. By 1967, all states had statutes requiring various professionals to report suspected child abuse or neglect. However, the animal welfare movement has not followed this model. The enforcement of animal cruelty laws is haphazard, and training in animal abuse issues is sporadic and largely voluntary. The author reviews some of the reasons people may abuse animals, and notes that veterinarians will likely see both humans and animals exhibiting signs of abuse or neglect in the course of their practice. Though there are legal, ethical, and possibly financial concerns for veterinarians who become involved with the identification and reporting of human or animal abuse, the author argues that veterinarians should still take a leadership role in their communities regarding these issues. The author makes suggestions for specific steps veterinarians can take, including taking incidents of animal abuse seriously and viewing them as an opportunity to obtain help for troubled families, participating in community coalitions against violence, and clarifying their personal and ethical standards surrounding this issue to avoid sending mixed messages to clients.

Phil Arkow, *Child Abuse, Animal Abuse, and the Veterinarian*, 204 *J. Am. Veterinary Med. Assn.* 1004 (1994).

This “Special Commentary” reviews the ways in which veterinary medicine contributes to human health and well-being. The author notes that veterinarians have a professional obligation to evaluate the behavior of the animal’s owner if the owner’s behavior could negatively impact an animal under the veterinarian’s care. Because both child abuse and pet abuse are often found in dysfunctional families, veterinarians will likely encounter evidence of abused or neglected children during the course of their practices. Since most states do not require that veterinarians report child abuse, veterinarians find themselves in the uncomfortable position of having to determine whether their primary obligation is to the animal, to the owner, or to both equally. In the absence of mandated reporting laws, the author argues, veterinarians need to clarify their personal stance on their responsibilities. Veterinarians can also work to reduce animal and human abuse in their communities by participating in interdisciplinary coalitions

against violence, humane education programs, and animal-assisted therapy programs.

Randall Lockwood, *Animal Cruelty and Human Violence: The Veterinarian's Role in Making the Connection—The American Experience*, 41 *Can. Veterinary J.* 876 (2000) (available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1476447/pdf/canvetj00023-0058.pdf> (accessed Apr. 3, 2011)).

Many veterinary professionals are unsure about how involved they should be in identifying and reporting animal or human abuse. One reason for this uncertainty is the lack of a uniform standard defining abuse or intentional neglect, a situation that the author notes is analogous to the circumstances pediatricians faced before the definition of the “battered child syndrome.” Reporting abuse may also raise concerns among veterinarians about their safety or the safety of their employees, the potential loss of clients, and the possibility of litigation. Laws regarding the reporting of suspected human or animal abuse are often inconsistent, fragmented, and unclear (though the author notes that in about half of states all adults are considered mandated and protected reporters of child abuse). Opportunities for veterinarians to help prevent human and animal abuse include: assisting in investigating and documenting incidents of animal cruelty; serving as expert witnesses; being aware of signs of child abuse, domestic violence, and elder abuse in their clientele; participating in multidisciplinary response teams; providing assistance to “safe haven” programs that house the pets of domestic violence victims; participating in cross-training efforts with social services and animal control agencies; and supporting animal-oriented prevention and rehabilitation programs for populations at risk for violence.

Phil Arkow, *The Veterinarian's Role in Preventing Family Violence: The Experience of the Human Medical Profession*, 19 *Protecting Children* 4 (2004).

According to the author, although veterinarians have largely been excluded from U.S. reporting systems for child abuse, domestic violence, and animal abuse, they are beginning to realize that their role in protecting animals includes a role in family violence prevention. The author notes that, although statutory language now clearly defines elements of child abuse and neglect, no such standards for the diagnosis or definition of animal abuse and neglect exist at the federal level. The topic of abuse and intentional neglect also receives little if any coverage in veterinary education. Veterinarians may fear litigation if they become involved in reporting child abuse or family violence; however, the model in the child protection field of holding good-faith reporters harmless may be a useful model for future legislation. While veterinarians may also fear they will lose income if they become mandated reporters, physicians have not suffered significant economic hardship by being mandated reporters. Veterinarians may also be concerned about client confidentiality, and that no action will be taken even if they do report abuse. Veterinary associations in North America and abroad are working to address these and other concerns to enable veterinarians to protect all family members, both animal and human.

Bonnie L. Yoffe-Sharp & Lynn M. Loar, *The Veterinarian's Responsibility to Recognize and Report Animal Abuse*, 234 J. Am. Veterinary Assn. 732 (2009).

Many veterinarians are unsure of their legal responsibilities and to whom they should report their concerns should they encounter an animal or human client in their practice whose safety might be at risk. The authors describe several situations that may raise concerns, including households that have a constant rotation of young pets that do not seem to survive or be kept beyond a few years. This may indicate a batterer who gives pets as gifts, then kills them or discards them in order to control a victim. This article discusses the roles pets play in functional and dysfunctional families, triggering factors in animal, child, and elder abuse, and how ignoring the abuse of one animal may lead not only to the subsequent abuse of other animals but also to the abuse of humans. The American Veterinary Medical Association's Position Statement on Animal Abuse and Animal Neglect requires reporting of animal abuse or neglect, and the American Animal Hospital Association's Position Statement contains similar language. Veterinarians need to learn what their reporting responsibilities are within their state, county, and community; which agency in their jurisdiction is responsible for enforcing animal cruelty laws; and the local resources to which they can refer clients. They should also educate their employees about recognizing and reporting abuse. The article includes checklists for warning signs of abuse, tips on how to conduct a risk assessment, and recommendations for how to make a report of suspected abuse or neglect to appropriate authorities.

D. *Legal Professionals and Law Enforcement*

1. *Websites and Web-Based Documents*

*Am. Humane Assn., *Quick Facts: Why is the Link Important for . . . Law Enforcement?*, <http://replay.waybackmachine.org/20090131061747/http://www.americanhumane.org/assets/docs/human-animal-bond/HAB-LINK-law-enforcement.pdf> (accessed Apr. 3, 2011).

This handout includes an overview of research correlating animal cruelty and criminal activity, ways in which animal abuse is a human issue, how investigating animal abuse can lead to the discovery of other forms of family violence, and the roles of police in investigating and screening for suspected animal abuse. Suggested activities for law enforcement personnel are included in the "What Can You Do?" section of the document. Examples of programs in Chicago, Boston, and Colorado Springs intended to prevent and intervene in cases of domestic violence and animal abuse are also provided.

*Animal Legal Defense Fund, <http://www.aldf.org/> (accessed Apr. 3, 2011).

This website provides news, publications, and numerous other resources to assist legal professionals in learning about and prosecuting animal abuse cases. The Animal Legal Defense Fund's Criminal Justice Program offers several free services to prosecutors, law enforcement officials, legislators, and researchers. These include legal research, friend-of-the-court briefs

and memos, sample pleadings, locating expert witnesses, and sample jury instructions.³ A database of current animal protection laws in the United States and Canada is available through the site as well as a collection of model animal protection laws and a searchable law and case database.

*Patricia Rushing, Community Policing Dispatch, *Domestic Violence and Animal Abuse: A Multidisciplinary Approach in Illinois*, http://www.cops.usdoj.gov/html/dispatch/March_2010/domestic_violence.htm (March 2010) (accessed Apr. 3, 2011).

This article outlines the efforts of Illinois' multidisciplinary "Animals Subject to Family Violence: Early Detection = Prevention Task Force" to provide education and training related to the connection between animal abuse and interpersonal violence to social service, animal welfare, and criminal justice professionals, as well as to members of the public. Task force members also advocate for changes in legislation, policy, protocol, and practices. A companion website, DVAnimalAbuse.org, is under development to provide further resources to law enforcement and other professionals and their communities.

*Assn. of Prosecuting Attys., *Animal Cruelty and Animal Fighting*, <http://www.apainc.org/default.aspx/MenuItemID/114/MenuSubID/21/MenuGroup/Programs.htm> (accessed Apr. 3, 2011).

This section of the Association of Prosecuting Attorneys' (APA) website provides resources to help prosecutors identify and prosecute animal cruelty cases in order to "reduce the development of further family violence or violent offenders." Resources include their online newsletter *Lex Canis*, an animal welfare listserv, and links to other websites. The APA also provides contact information for those seeking technical assistance with prosecuting animal cruelty or animal fighting cases as well as training opportunities.⁴

*Humane Socy. of the U.S., *Resources for Prosecutors*, http://www.humanesociety.org/issues/abuse_neglect/prosecutors_resources.html (Mar. 10, 2011) (accessed Apr. 3, 2011).

This page provides links to training opportunities provided by the Humane Society of the U.S. (HSUS) and other organizations, links to investigation and prosecution guides from various states, an overview of the types of assistance HSUS staff can provide when developing a cruelty prosecution case, and other resources.

*Randall Lockwood, *Animal Cruelty Prosecution: Opportunities for Early Response to Crime and Interpersonal Violence*, (Am. Prosecutors Research Inst. 2006) (available at http://www.ndaa.org/pdf/animal_cruelty_06.pdf) (July 2006) (accessed Apr. 3, 2011).

This fifty-one page guide provides information and resources to assist prosecutors with animal cruelty cases. The author provides a review of the development of animal cruelty laws, noting that some state laws are now a

³ Additional information about the organization's services is available at: <http://www.aldf.org/article.php?list=type&type=80> (accessed Apr. 3, 2011).

⁴ David Labahn, 2 *Lex Canis* 1 (Spring 2010) (available at http://www.humanesociety.org/assets/pdfs/abuse/enforcing_animal_cruelty_laws_1.pdf) (accessed Apr. 3, 2011).

“patchwork” of differing penalties, provisions, and exemptions due to piecemeal revisions over the years. According to the author, animal cruelty cases need to be prosecuted because animal cruelty is itself a crime, a possible predictor of future criminal activity, an indicator of co-occurring family violence, and a factor in destabilizing communities. It is especially important to prosecute juvenile offenders because early intervention is more likely to be effective in preventing future criminal activity. While each state defines “animal” and “animal cruelty” differently, the guide provides general descriptions of common types of animal cruelty, including neglect, hoarding, the “organized abuse” of dog fighting and cockfighting, ritualistic abuse, and bestiality. The last section of the guide is a detailed description of the progression of an animal cruelty case, including the initial report, seizure/impounding requirements (which vary by state), charging decisions, choice of venue for juvenile offenders, building the case, using veterinary or other expert testimony, and sentencing requests (including requesting mandatory evaluation and counseling for the offender). An appendix lists organizations that offer prosecutors assistance with animal cruelty cases.

*Claire Ponder & Randall Lockwood, *Training Key #526: Cruelty to Animals and Family Violence*, <http://iacppolice.ebiz.uapps.net/personifyebusiness/OnlineStore/ProductDetail/tabid/55/Default.aspx?ProductId=568> (2000) (accessed Apr. 3, 2011) (download available for purchase for \$3.00).

This booklet reviews the evidence linking animal cruelty to adult, juvenile, and domestic violence, child abuse, and elder abuse. Law enforcement officials need to be alert to the fact that a report of a slain or injured animal may indicate other serious crimes are taking place in the family or community. Intervening in an animal abuse case may interrupt an escalating cycle of violence and prevent future crimes. Law enforcement officials should participate in cross-training, cross-reporting, and interagency programs to address both human and animal abuse. Canine and mounted patrol officers can also assist in humane education programs that teach children empathy for animals.

*Mich. St. U. College L., *Animal Legal & Historical Center*, <http://www.animallaw.info/> (updated Apr. 2011) (accessed Apr. 3, 2011).

This website brings together a variety of materials on legal and policy issues affecting animals. Resources include a case database, pleadings, briefs, comments, opinions, articles, and historical materials. Specific pages provide an overview of this issue and links to additional materials related to the “Link.”⁵ Searching the site for “domestic violence,” “child abuse,” or related topics will also bring up resources.

*Pet-Abuse.com, *Pet-Abuse.com*, <http://www.pet-abuse.com> (accessed Apr. 3, 2011).

⁵ Emilie B. Ridge, *Domestic Violence and Animal Abuse*, <http://www.animallaw.info/topics/spusdomesticviolence.htm> (2008) (accessed Apr. 3, 2011) (providing links to materials describing the “Link”); Emilie Ridge, *Quick Summary of the Cycle of Domestic Violence and Animal Abuse*, <http://www.animallaw.info/articles/qvusdomesticviolence.htm> (2008) (accessed Apr. 3, 2011) (providing an overview of the “Link”).

The “Cruelty Connections” page⁶ describes the connections between animal abuse, violent crime, and domestic violence, and provides links to other resources. Also of note on this website is an Animal Abuse Crime Database,⁷ which allows searchers to filter by abuse-connection cases or cases also involving child or elder neglect. Local cases are searchable by county and ZIP code. The “Courtwatch” page lists upcoming and in progress court cases.⁸ The home page also provides the ability to subscribe to e-mail updates on selected cases.

*Allie Phillips, Am. Humane Assn., *The Link® for Prosecutors* (2010) (available at <http://www.americanhumane.org/assets/pdfs/interaction/hab-link-for-prosecutors.pdf> (accessed Apr. 3, 2011)).

This document, a co-production of American Humane and the National District Attorneys Association, describes what prosecutors need to know about the link between animal abuse and interpersonal violence and how to obtain “Link” evidence and use it during all stages of prosecution and sentencing. Many of these suggestions are also applicable in child protection civil dependency cases. While laws are changing to acknowledge “Link” issues, policies within specific agencies and organizations also need to change, including those of child and adult protection services, law enforcement, domestic violence shelters, social service agencies, and victim advocacy organizations. The document concludes with a selection of appellate case law concerning “Link”-related issues.

2. Books and Book Chapters

*Patrick Dougherty, *The Legislator’s Perspective on Preventing Family Violence*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 288 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

Written by a former Missouri state senator,⁹ this chapter provides practical, step-by-step advice to grass roots advocates who are lobbying state legislatures to pass laws related to reducing all forms of domestic violence, including animal abuse. The author encourages bill supporters to do the following: emphasize the importance of the issue to legislators’ home districts; obtain bipartisan support as well as support from both urban and rural areas; research and develop contacts effectively; build coalitions; use multiple media effectively to publicize the issue; and be factual, concise, and persistent in presenting the issues. According to the author, educating legislators and challenging long-held beliefs may be difficult, but a coherent and well-planned strategy for working within the legislative process can lead to success.

⁶ Pet-Abuse.com, *Cruelty Connections*, http://www.pet-abuse.com/pages/abuse_connection.php (accessed Apr. 3, 2011).

⁷ Pet-Abuse.com, *Animal Abuse Crime Database*, http://www.pet-abuse.com/pages/cruelty_database.php (accessed Apr. 3, 2011).

⁸ Pet-Abuse.com, *Courtwatch*, <http://www.pet-abuse.com/pages/courtwatch.php> (accessed Apr. 3, 2011).

⁹ Missouri State Senate, *Pat Dougherty*, <http://www.senate.mo.gov/04info/members/mem04.htm> (accessed Apr. 3, 2011).

*Sherry Schlueter, *Animal Abuse and Law Enforcement*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 316 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

This chapter opens with a review of standard signs of animal abuse, noting that recognizing animal abuse is often a matter of “good common sense.” Concerned citizens and social services caseworkers need to be familiar with local laws and definitions related to animal abuse. The chapter also describes the powers of law enforcement personnel to confiscate abused animals, notes local variations in who handles animal abuse cases, describes how a case of animal abuse is documented and reported, and discusses how recent trends in community-based policing may improve law enforcement’s responses to animal abuse-related issues.

*Wm. Andrew Sharp, *The Prosecutor’s Role in Preventing Family Violence*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 273 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

Written for the general reader as well as prosecutors, this chapter outlines the steps by which an animal abuse or child abuse case is built by a prosecutor: the initial report, the filing of the complaint, data gathering and interviewing, search warrants and the concept of probable cause, and what happens at the scene of an investigation. Specific recommendations are also provided for the management of animal abuse cases by prosecutors.

*Joyce Tischler, *Zero Tolerance for Cruelty: An Approach to Enhancing Enforcement of State Anticruelty Laws*, in *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention* 297 (Frank R. Ascione & Phil Arkow eds., Purdue U. Press 1999).

The author, the founding director of the Animal Legal Defense Fund (ALDF),¹⁰ describes the “Zero Tolerance for Cruelty” (Zero Tolerance) program run by ALDF staff and volunteer attorneys to provide outreach and education to prosecutors and judges about the connection between violence to animals and violence to humans. Because many law enforcement officials do not view animal cruelty cases as a priority, one of the program’s aims is to educate officials about the likelihood that an animal abuser will eventually harm humans (or is already doing so), and how future violence may therefore be prevented through the prosecution of animal abusers. Other features of the Zero Tolerance program include identifying current animal cruelty cases throughout the U.S. and offering free legal assistance to the prosecutor involved, submitting amicus curiae briefs, and locating expert witnesses. Two related ALDF projects involve building a national database of animal cruelty cases and developing brief banks of cruelty cases for each state. The chapter concludes with a list of recommended improvements to state anti-cruelty laws.

¹⁰ ALDF, *Speaker Biographies: Joyce Tischler*, <http://www.aldf.org/article.php?id=1220> (accessed Apr. 3, 2011).

3. Articles

*Howard Davidson, *On the Horizon: What Lawyers and Judges Should Know about the Link between Child Abuse and Animal Cruelty*, 17 ABA Child L. Prac. 60 (1998).

The links between domestic violence, substance abuse, and child maltreatment went largely unrecognized until recently. Similarly, the link between the abuse of animals and child abuse, domestic violence, and general interpersonal violence has not been generally recognized. This link remains largely hidden because animal cruelty statistics are not uniformly collected, cross-reporting between agencies is generally not mandated, and professionals often fail to ask about animal abuse in the home. This article includes examples of appellate case law where evidence of animal abuse played an important role in affirming sexual abuse convictions, as well as in cases where the evidence was a factor in custody decisions and the termination of parental rights. In the absence of laws mandating cross-reporting, the author suggests that human services and animal welfare professionals can voluntarily work together to share information. Legal practitioners also need to be aware of local treatment programs that can assist children who have abused animals or witnessed animal abuse.

*Joseph G. Sauder, *Enacting and Enforcing Felony Animal Cruelty Laws to Prevent Violence against Humans*, 6 Animal L. 1 (2000).

In this article, the author reviews the development of anti-cruelty laws, their basis in property law and public nuisance theory, and the ways in which judicial interpretations and light sentences have weakened the laws' impact. He next reviews research demonstrating the connections between animal abusers and interpersonal violence, the effect of animal abuse on children, and the propensity for animal abusers to commit other (often-times horrific) crimes. In conclusion, the author makes the following recommendations: animal cruelty should be made a felony; anti-cruelty statutes should stipulate criminal fines, which could be used to support humane societies; prosecutors, police, and society need to work together to report cruelty cases and look beyond the animal victim for human victims of violence (and vice versa); animal abuse by children needs immediate intervention and treatment to prevent future violence; and veterinarians should be required to report animal abuse, not only to save animals from suffering or death but also to identify families at risk for interpersonal violence.

*Nancy Turner, *Animal Abuse and the Link to Domestic Violence*, 67 Police Chief 28 (June 2000).

This article encourages officers and investigators responding to domestic violence calls to make inquiries about animal abuse a routine part of their casework. Talking to children about animal abuse may be particularly valuable because children may be more willing to talk about the abuse of a pet than their own abuse. After the Nashville, Tennessee police department began including questions about pet abuse in their domestic violence screening process, they saw an 80% decline in domestic violence fatalities despite the fact that the number of domestic violence calls increased by 50% during the year. Departments should be in regular contact with hu-

mane societies, battered women's shelters, and animal protection agencies in their communities and should call on these groups' expertise.

*Claire Ponder & Randall Lockwood, *Programs Educate Law Enforcement on Link between Animal Cruelty and Domestic Violence*, 67 *Police Chief* 31 (Nov. 2000).

This article describes four model programs intended to reduce family violence and pet abuse through the integration of training and cross-reporting among human services and animal protection agencies, and through public education about the connections between animal abuse and family violence. The programs described are those of the Baltimore County Police Department, the Humane Society of Missouri, the Biddeford, Maine Police Department, and Colorado Spring's Domestic Violence Enhanced Response Team (DVERT) Program. Resources and suggestions for starting similar programs are also provided.

*Margit Livingston, *Desecrating the Ark: Animal Abuse and the Law's Role in Prevention*, 87 *Iowa L. Rev.* 1 (2001).

This article opens with a philosophical exploration of how animal interests relate to human interests and an overview of the development of current animal cruelty laws and penalties. Issues in current animal cruelty law are next discussed, including variations from state to state as to which species of animals are covered by anti-cruelty statutes, the requirement for "intentionality" in the state of mind of the perpetrator, the lack of uniformity as to what constitutes punishable abuse or neglect, the inadequacy and wide variety of penalties, and the problem of generally lax enforcement and prosecution of animal abuse cases. The author then reviews studies and anecdotal evidence that postulate a connection between juvenile animal abuse and later criminal behavior. To distinguish between chronic and casual offenders, she proposes a model statute that takes the defendant's state of mind, the type of abuse committed, and any prior offenses into account. Additionally, requiring veterinarians to report suspected animal abuse and requiring child welfare professionals to report suspected pet abuse in their clients' families would increase the chances that other forms of family violence are discovered and addressed. As preventative measures, legislatures should fund humane education programs, treatment programs for animal abusers, and housing for victims' pets at domestic violence shelters.

*Angelina Campbell, Student Author, *The Admissibility of Evidence of Animal Abuse in Criminal Trials for Child and Domestic Abuse*, 43 *B.C. L. Rev.* 463 (2002).

One of the goals of family law is the prevention of future abuse. Because studies demonstrate the connection between animal abuse and child and domestic abuse, the author argues that evidence of prior animal abuse should be admissible under the Federal Rules of Evidence in criminal trials for child and domestic abuse. The author first reviews studies demonstrating the connection between animal abuse and interpersonal violence, pointing out that domestic violence rarely involves only one act of abuse against one victim. The second section of the Note reviews the provisions of The Federal Rules of Evidence, including how the provisions of the Violent Crime Control and Law Enforcement Act of 1994 made it possible to include evidence of prior sexual assaults and child molestations when the

defendant was subsequently accused of the same crime. Domestic violence is already considered in child custody hearings on the grounds that observing violence between parents is harmful to the child; according to the author, it logically follows that observing violence against a pet would be emotionally harmful to the child. In two key cases (*State v. Foster* and *State v. Pugsley*),¹¹ evidence of animal abuse was considered by the court to show a defendant's intent. The author outlines several ways in which evidence of animal abuse could be included under exceptions of Rule 404(b), specifically those related to identity, intent and motive, and absence of mistake or accident. The author concludes the probative nature of evidence of all forms of prior domestic abuse, including animal abuse, substantially outweighs their prejudicial nature.

*Heather D. Winters, Student Author, *Updating Ohio's Animal Cruelty Statue: How Human Interests Are Advanced*, 29 Cap. U. L. Rev. 857 (2002).

The author describes Ohio's current animal cruelty statute, notes it has changed little in over 125 years, and identifies problems with the current law. She then compares Ohio's law with the laws of other states and describes proposed legislation that would remedy several shortcomings in Ohio's animal cruelty statute. The author then provides a brief review of how animal abuse can be both a predictor of violent behavior and a red flag that other forms of abuse (especially child or partner abuse) may be occurring in the home.

*Mark J. Parmenter, Student Author, *Does Iowa's Anti-Cruelty to Animals Statute Have Enough Bite?*, 51 Drake L. Rev. 817 (2003).

Although Iowa amended its anti-cruelty statute in 2000 to make animal cruelty a felony on the second offense, the author argues the law needs to be strengthened further. The author first surveys the development of animal cruelty statutes in Great Britain and the United States, then discusses recent cases of animal abuse, including a high-profile case in Iowa that led to the passage of the revised statute. The evidence linking animal abuse to violent crime, child abuse, and domestic abuse is next reviewed. The author suggests that, because early intervention is so important, the first conviction on animal abuse should be made a class D felony. In addition, the author recommends that Iowa follow Illinois' model in using fines to support an Animal Abuse Fund; that reporting mandates be expanded to require veterinarians to report evidence of animal abuse; and that cross-reporting of actual or suspected human or animal abuse be required of humane agencies, veterinarians, and child and spousal protection agencies.

*Will Coxwell, Student Author, *The Case for Strengthening Alabama's Animal Cruelty Laws*, 29 L. & Psychol. Rev. 187 (2005).

Recent studies note the link between cruelty to animals and violent behavior towards humans. This link is especially troubling when animal abuse is perpetrated by children. According to the author, parents, educators, and lawmakers need to be concerned about any sign of animal abuse by a child. As of the writing of this article, Alabama classified animal cruelty as a mis-

¹¹ *State v. Foster*, 915 P.2d 567, 571 (1996); *State v. Pugsley*, 911 P.2d 761, 772 (1995).

demeanor and the prosecution of animal abuse cases was low. In addition, Alabama's law makes no mention of animal abuse by children and provides no authorization for judges to order psychological evaluation or treatment of offenders. To avoid a financial burden on the state, Alabama could follow Colorado's model of using grants, donations, and fines to cover court-ordered treatment of juvenile offenders. In addition, veterinarians should be mandated to report suspected animal abuse, and child welfare services should be mandated to report on the condition of pets within abusive families. Immediate intervention in cases of animal abuse, especially in cases of children abusing animals, is essential to prevent further cruelty towards animals and possible future violence against humans.

*Caroline Forell, *Using A Jury of Her Peers to Teach About the Connection between Domestic Violence and Animal Abuse*, 15 Animal L. 53 (2008).

Susan Glaspell's 1917 short story, *A Jury of Her Peers*, has been used in many types of law school courses. In this essay, the author describes how she used the story in an Animal Law seminar to teach students about the connection between domestic violence and animal abuse. Because students taking an animal law course might not also be familiar with domestic violence issues, the author used the story to help students understand the impact violence against a pet might have on a battered woman, and how the death (and possible prior abuse) of the woman's pet bird might have been used by her husband to terrorize, abuse, punish, and control her. The author describes how students also read recent newspaper reports of cases where the pet birds of battered women had been abused or killed to illustrate that animals other than cats and dogs can be targets of abuse. Among the topics of discussion were: whether animal abuse should be used as a mitigating factor in cases where the animal's owner responded violently to the abuser; emotional responses a victim may experience when his or her companion animal is harmed; options modern women have for safe placement of companion animals in shelters; the inclusion of companion animals in protective orders; and tort remedies when a companion animal is deliberately injured or killed.

*Kirsten E. Brimer, Student Author, *Justice for Dusty: Implementing Mandatory Minimum Sentences for Animal Abusers*, 113 Penn St. L. Rev. 649 (2008).

Animal cruelty is potentially an indicator of severe psychological problems, and is often linked to interpersonal violence. The author cites two decisions where courts have made note of this link. Mandatory minimum sentences are intended to serve as a deterrence to protect the public by removing offenders from the community for an extended period of time and to remove discretion from the sentencing process. However, mandatory minimums do not necessarily have to involve prison sentences; they could also apply to rehabilitative programs. In this way, mandatory minimums could be applied to juvenile animal abusers. The author notes, "Regardless of whether the victim is a human or an animal, a violent and brutal crime is a violent and brutal crime and must be taken seriously." Mandatory minimum sentences could serve both as a rehabilitative measure and as a deterrence, thus potentially protecting future victims from harm.

*Deborah J. Challener, *Protecting Cats and Dogs in Order to Protect Humans: Making the Case for a Felony Companion Animal Statute in Mississippi*, 29 Miss. C. L. Rev. 499 (2010).

Senate Bill No. 2623, introduced in the Mississippi legislature during the 2010 session, would have made it a felony to commit certain acts of animal cruelty against dogs or cats. Though the bill passed the Senate, it failed in the House. The author notes that several erroneous assumptions about the purpose and benefits of the bill were responsible for its failure, the most notable being that Mississippi legislators did not understand that early and modern anti-cruelty laws were enacted not to protect animals but to protect society and improve the general moral climate. In addition, research indicates there is a connection between animal cruelty and violence towards humans. If the penalty for harming a cat or dog were increased from a misdemeanor to a felony, convicted abusers would be more likely to receive counseling (which is especially important for juvenile offenders) and would be prohibited from actions such as owning firearms or working in schools, thus providing additional safeguards for potential human victims. The author explains why the objections made to the bill on the grounds of cost, impact on agriculture, and other factors are meritless. While SB No. 2623 was an important step forward, it still has room for improvement. The article concludes with suggestions for changes in the bill that would make a similar future bill more effective in protecting all Mississippians, both human and animal.

V. RESOURCES FOR FURTHER INFORMATION

For an overview of laws related to some of the topics covered in this bibliography (including requirements for cross-reporting by veterinarians and other social service professionals, statutes related to animals in protection orders, etc.), the Animal Legal Defense Fund publishes *Animal Protection Laws of the United States of America & Canada*.¹²

The Latham Letter often includes short articles related to animal abuse and family violence.¹³ Past articles are archived online in a searchable database.¹⁴

Finally, for numerous additional resources that could not be included in this bibliography and to keep abreast of new developments in this area, the reader is referred to Phil Arkow's extensive and regularly updated *Bibliography of the Link Between Animal Abuse, Child Abuse and Domestic Violence*.¹⁵

¹² Stephan Otto, *Animal Protection Laws of the United States of America and Canada*, <http://aldf.org/article.php?id=1324> (accessed Apr. 3, 2011). This compilation is available as either a free download or in CD-ROM format.

¹³ The Latham Foundation, *The Latham Letter*, <http://www.latham.org/letter.asp?Type=Magazine> (accessed Apr. 3, 2011).

¹⁴ The Latham Foundation, *Article Archive*, <http://www.latham.org/archive.asp> (accessed Apr. 3, 2011).

¹⁵ Phil Arkow, *Bibliography of the Link Between Animal Abuse, Child Abuse and Domestic Violence*, <http://www.animaltherapy.net/Bibliography-Link.html> (accessed Apr. 3, 2011).