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Recognizing and Reporting Animal Cruelty - 06/12/19



ASPCA-NYPD Partnership



- In January 2014 NYPD became the primary responding law enforcement agency for animal cruelty complaints in New York City
- Transition from 20 ASPCA HLE agents to 35,000 uniformed police officers working 24/7
- NYPD – Animal Cruelty Law Enforcement
- ASPCA – Veterinary forensics, animal care (medical and behavioral) and placement

Animal Cruelty Cases: Three disciplines

Veterinary
Medicine



ASPCA - NYC Veterinary Community

Law
Enforcement

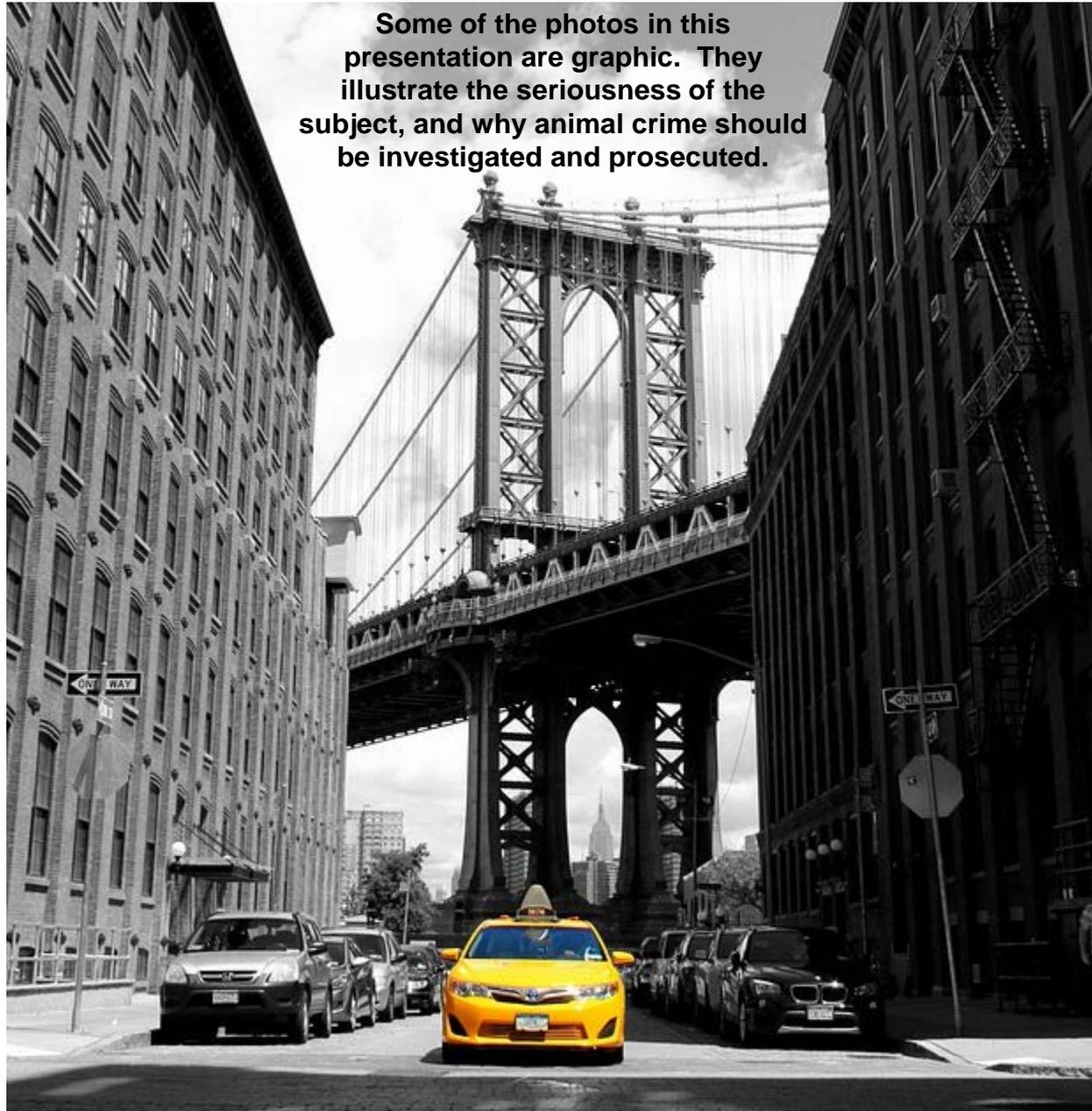
NYPD



Legal
(Prosecutors, Judges)

- All three disciplines are learning how to investigate and manage animal cruelty cases
- They are learning how to apply their expert knowledge to this unique area of crime
- There is a learning curve for all three disciplines

Some of the photos in this presentation are graphic. They illustrate the seriousness of the subject, and why animal crime should be investigated and prosecuted.



New Case Notification

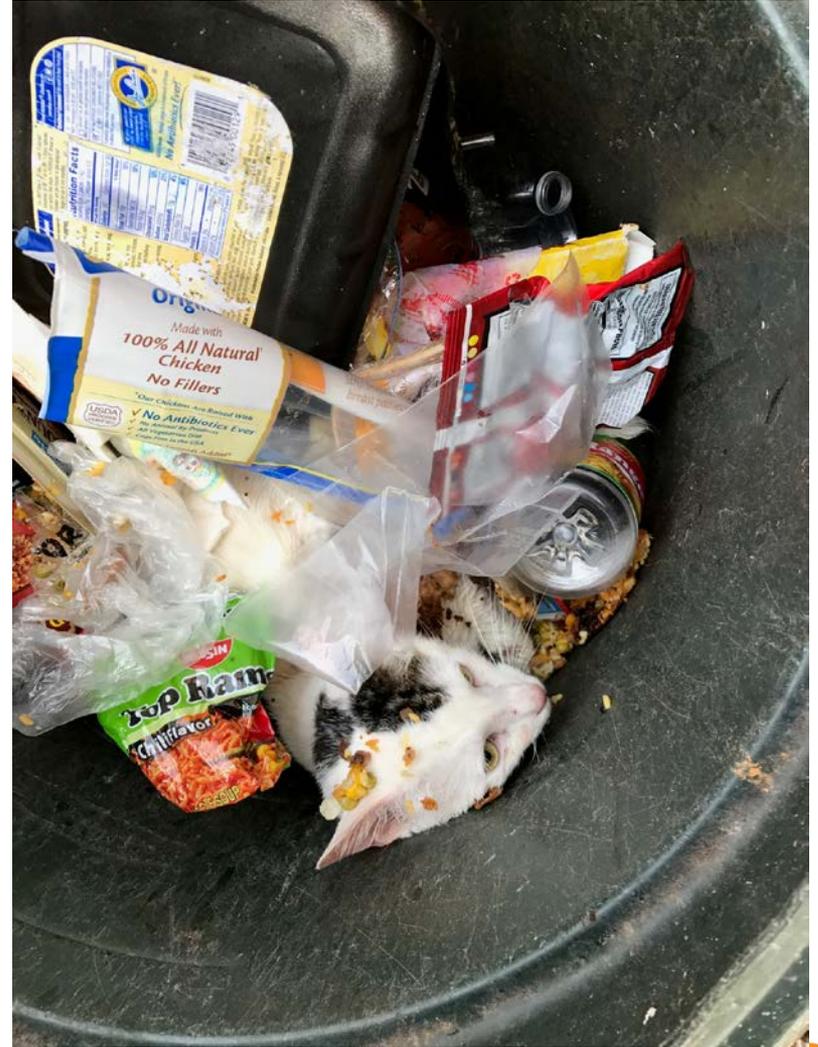
June 29 2017; 5:59 pm

Good evening. We have a new case from within the 120 Precinct in Staten Island. Detectives Edelman and Kalman of the SI Gang Squad are reporting a case of animal cruelty to a cat at 24 Arthur Avenue, Staten Island.

Detective Edelman witnessed a cat being beaten repeatedly with a stick and a chair on “Facebook Live”. The cat was placed in a garbage can at location. Detective Kalman is transporting the cat to Greater SI Vet Services.

Incident to be investigated by reporting Detective. Complaint report to be prepared. Cat is unowned at this time. Cat appears to be seriously injured.

Chester





Chester



Photographic confirmation of Chester's identity

- Chester was brought to the ASPCA on 06/30/17 at 12:45 pm,
- Skin contusions, blood on fur, blood in mouth, chipped teeth, tongue laceration
- Hypovolemia
- 4 rib fractures (left 7, 8; right 9,11), pulmonary contusions, pneumothorax, liver and kidney injuries

Chester



Crime Scene Photo - NYPD



- Blood from the end of the stick, presented as the implement used to injure Chester on the video recording, was analyzed positively for Feline DNA that matched Chester's DNA (cheek swab submitted)
- The likelihood of a random unrelated male cat having the DNA profile obtained from the 248249A-1 swab is approximately one in 1 million
- Veterinary Genetics Laboratory (VGL) at UC Davis; Certified Animal DNA Forensic Laboratory

Chester

- Chester quickly became a staff favorite and also won the hearts of the Staten Island Gang Squad who paid him a visit and showered him with gifts
- Once Chester was medically available Detective Matthew Edelman asked to foster him. He then facilitated Chester's safe return home once the case was closed



Chester

In February 2018, the defendant pleaded guilty to felony animal cruelty. He was sentenced to 15 months in jail, 10-year animal ownership ban, ordered to pay the ASPCA \$8,226.81 in restitution and to register with the NYC Animal Abuse registry.



Animal Abuse Registry

Which groups must check the registry before transferring an animal?

- Animal rescue groups working in New York City
- Animal shelters operating in New York City
- Dog and cat protective associations incorporated in New York State
- Humane societies incorporated in New York State
- Societies for the prevention of cruelty to animals incorporated in New York State
- Pet shops in New York City
- Veterinarians working in New York City

<https://www1.nyc.gov/site/doh/health/health-topics/animal-abuse-registry.page>

Veterinarians Can Have Three Roles in Animal Cruelty Cases

1. The veterinarian (or animal health worker) may be the complainant; the person who makes a “good faith” report to law enforcement about suspected animal cruelty. The veterinarian would be **"Recognizing and Reporting"** suspected animal cruelty.
2. The veterinarian may function as a **forensic veterinarian**; the veterinarian who evaluates a suspected victim of animal cruelty and documents their findings. In this role the veterinarian is practicing “legal medicine” or “forensic veterinary medicine”
3. The veterinarian may provide **medical care** to the abused animal

One veterinarian can fulfill one or more of the above roles



The word; "Forensic"



- The word “forensic” comes from the Latin adjective “forensis” meaning *of or before the forum*
- In modern use, the *forum* is a court of law
- Any information presented by an expert witness in a court of law is forensic information
- “Forensic Science” is the use of scientific information to answer questions raised in a court of law.

What is Forensic Veterinary Medicine?

- **Forensic Veterinary Medicine** is the use of veterinary knowledge about animal health to answer questions that are asked when it is suspected that an animal is the victim of cruelty
- These types of questions should be answered in a Veterinary Statement of Findings in preparation for a potential criminal prosecution
- These questions may be asked in a court of law

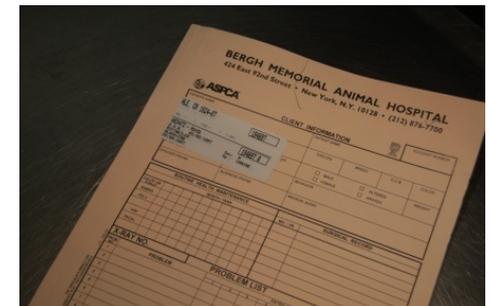




Veterinary Forensic Role in Animal Cruelty Cases



- **Forensic Veterinary Medical Evaluation, (Diagnosis and Treatment)** of Alleged Cruelty Victim
- **Documentation** of Medical Findings (Medical evidence) – medical record, laboratory tests, radiographs, photographs
- ***Case Snapshot**
- *** Veterinary Statement (s)*** of Findings for Law Enforcement and the District Attorney
- ***Court testimony*** as an expert in veterinary medicine



Veterinary Forensic Evaluation

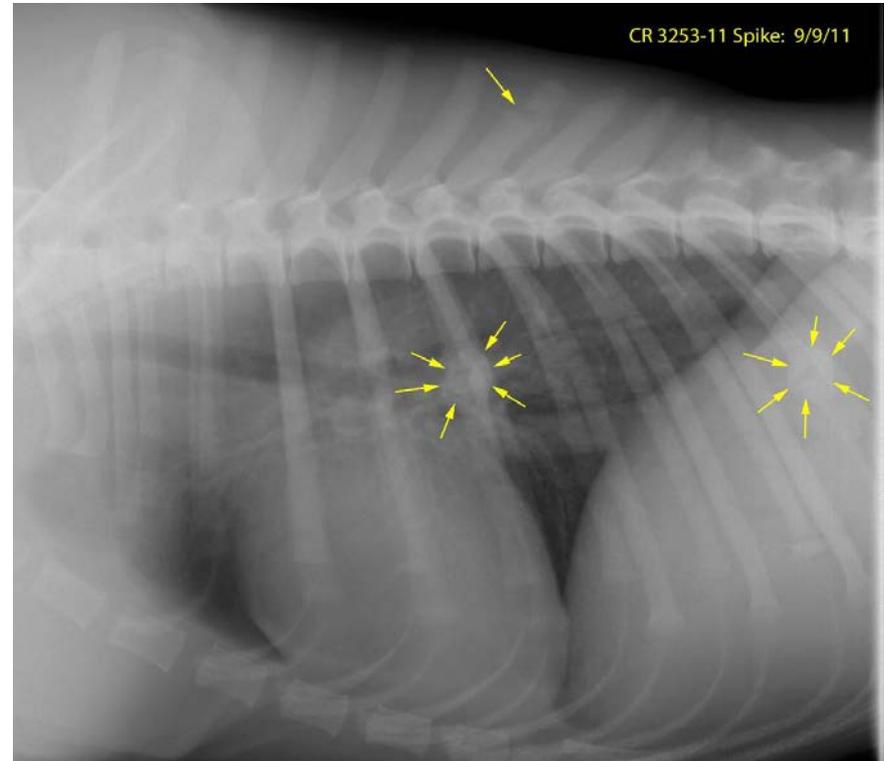
Standard protocol each animal

- Physical Exam
- CBC, Chemistry, Urinalysis, Fecal
- Other diagnostic tests as needed
- Radiography all cases (Minimum; Chest and Abdomen)
- Photography all cases
- Definitive diagnosis



Criminal Neglect & Physical Abuse

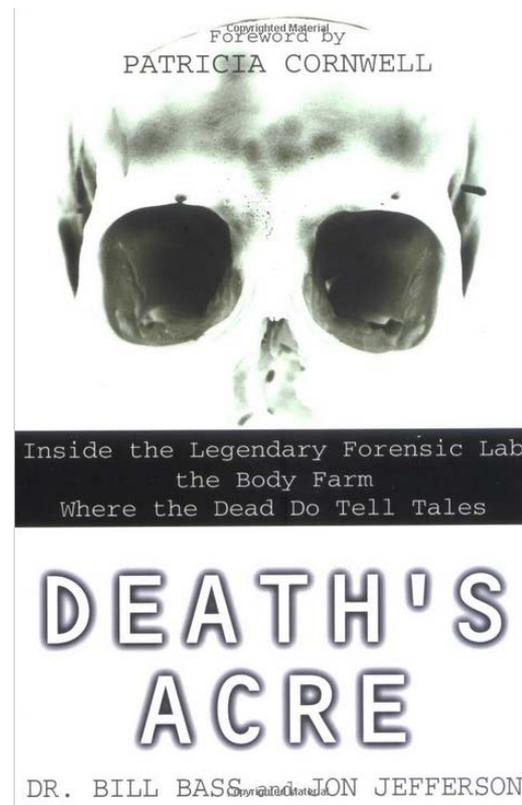
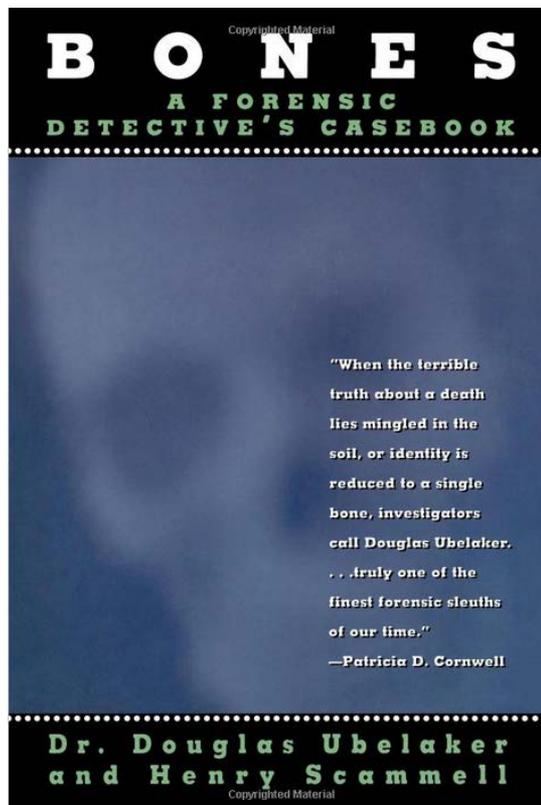
Rib Fractures



7th thoracic vertebra spinous process fracture. Healing/healed 6th and 10th rib fractures.

Veterinary Medical Forensic Investigation

- The veterinary medical forensic examination is separate and independent of the law enforcement investigation
- It is an impartial search for the truth.
- It is the veterinarian's responsibility to make an accurate and truthful determination of the animal's health
- The forensic veterinary medical investigation may or may not support a finding of abuse.
- Findings are communicated in a Veterinary Statement and in court testimony



- “First, there can never be a negative moral consequence to the truth, and in order to protect the truth every science demands complete objectivity of its practitioners.”
- “There have been times when I have been subjected to intense persuasion – both beforehand and on the witness stand – by advocates who were anxious to tailor my testimony to fit their suit.”
- “There’s also a risk from the witness’s own ego. No one is exempt from the human desire to be smart, to know the answer. Lawyers from both sides often play on the human temptation for an expert to say more than the facts or his/her expertise reasonably allow.”
Dr. Douglas Ubelaker

University of Tennessee Forensic Anthropological Center



Veterinary Medical Forensic Investigation

- If the prosecutor decides to prosecute a person(s) for animal cruelty, the veterinarian becomes a witness to a crime
- Veterinarians by their training (education) and experience are considered expert witnesses
- Veterinarians are experts in animal health and qualified under oath in court as experts in veterinary medicine

Basic questions that the veterinarian must answer in a medico-legal case

1. Is the animal injured, or has its health been impaired?
2. Is the animal in pain?
3. Has there been a permanent, deleterious effect on the animal's health?
4. Definitive diagnosis: What is the illness? What is the cause of death? Absolutely necessary for criminal prosecution



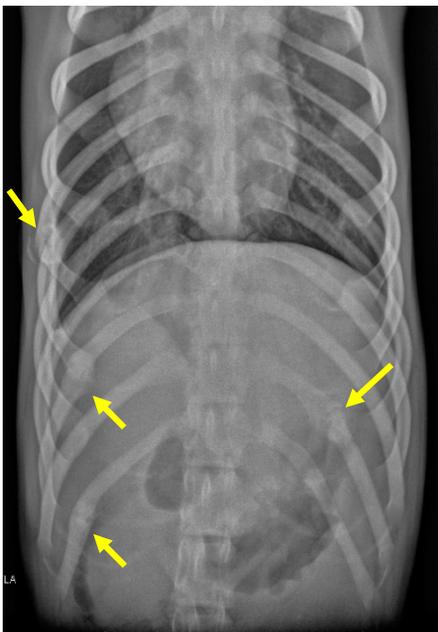
“Tweety”: 6 month-old, female, domestic short hair cat

Questions the veterinarian should attempt to answer in a medico-legal case

Duration: How old is the injury/injuries?

- a. Estimated age of Injury
- b. Timeline of animal's injuries

Radiography, Histopathology, Previous medical records



Fracture of right ribs, 7, 11, 13 and left rib 12 all with evidence of callus and chronicity. All fractures are estimated to be 3 weeks-old or greater.



- “Brutus” 10y, G. Shepherd dog: “Embedded collar”
- It takes approximately 5 – 7 days for a granulation bed to form
- Scar tissue forms at the rate of approximately 1 cm per month.
- Based on the amount of scar tissue present it is estimated that the wound is at least 3 months old (Cornell Veterinary School, Dept. of Pathology)



An animal presents with severely compromised health at a
New York City Animal Hospital
Who decides if the animal is a victim of "animal cruelty"?



- Animal cruelty is a **legal determination**
- Animal cruelty cases are prosecuted under state laws
- Applying the law to a particular set of circumstances is the responsibility of law enforcement and the prosecutor's office
- It is not a veterinary responsibility





New York State Law

There are two types of state laws about animals that are of interest to veterinarians

- Laws that define *animal cruelty* and care of animals

https://www.agriculture.ny.gov/AI/AGM_ART_26A.pdf

- Laws that address *veterinary reporting* of animal cruelty (NYS Education Law Article 135; 6714)

<http://www.op.nysed.gov/prof/vetmed/article135.htm#tre>

Veterinary Reporting New York

New York: In **November 2003**, Article 135, section 6174, of **NY State Education law** was amended to provide veterinarians with immunity from civil and criminal prosecution when making a “good faith report” of suspected companion animal abuse

The Law

- animallaw.info/



- AVMA.org – search animal abuse

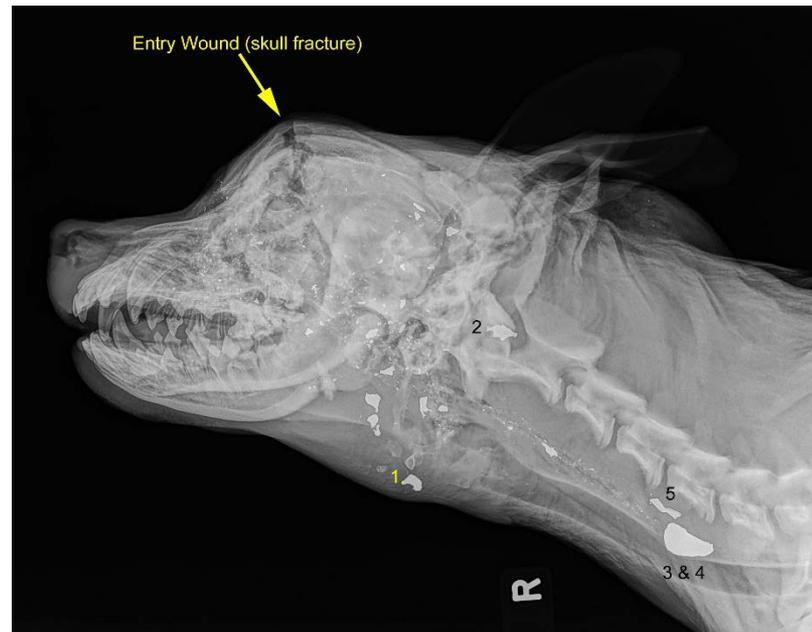


Two Broad Categories of Animal Cruelty

- Criminal Neglect
- Non-accidental injury/trauma



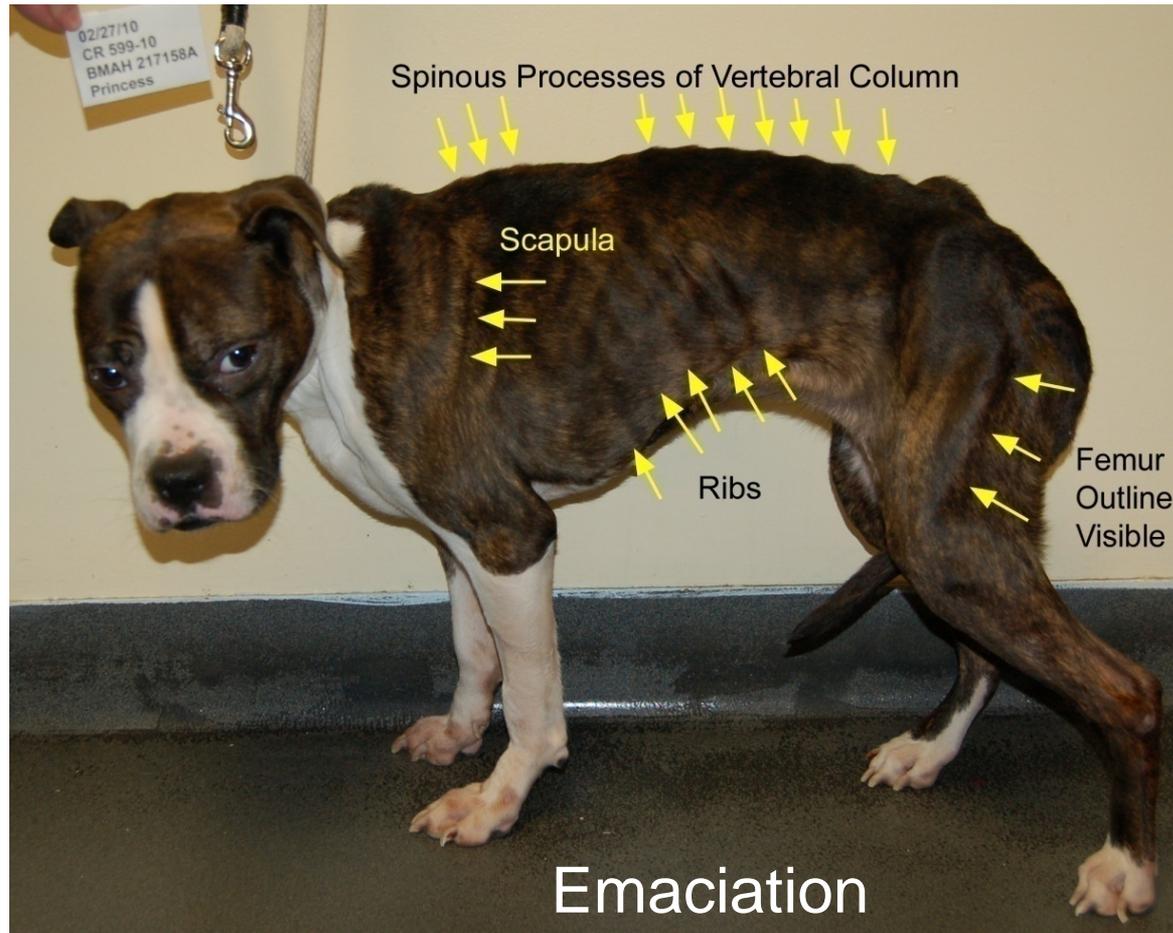
104 pct.



113 pct.

Criminal Neglect

- Long term Inadequate Nutrition
- Hair coat matting (Complete matting, Strangulating hair mats or paws)
- Medical Neglect or “Failure to Treat” (e.g. Bite wounds, Chronic parasitism (internal, external), Physical injury)
- Exposure to climate extremes
- Embedded “collar”
- Abandoned



- Skeletal appearance – loss of fat and muscle; “skin and bones”
- Weak posture (hunched, head down, tail down)
- Long claws – sedentary lifestyle

Criminal Neglect: Hair Matting

5y, Female, Poodle Mix (“Miss Bea”)



- Movement severely restricted for months
- Movement is painful (the hair mats pull on the skin)
- Vision is limited
- Underlying skin inflammation/infection is common.

Label	The Bergh Memorial Animal Hospital of the ASPCA 424 E 92nd Street, New York, N.Y. 10128 (212) 876-7700
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Haircoat and Nails - Long Haired: Dog Cat

Choose 1, 2, 3 or 4 to describe matting

- 1. Haircoat a single mat that prevents normal movement and interferes with vision. A complete clipdown required. Yes No
- 2. Substantial matting of haircoat. Large sections of hair matted together. A complete clipdown required. Yes No
- 3. Numerous mats, but animal can still be groomed without a total clip down. Yes No
- 4. Hair coat is dirty and/or has a few mats. Yes No

Foreign material embedded in mats.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Visible feces on coat	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Fecal / urine staining of hair coat;	Yes <input type="checkbox"/>	No <input type="checkbox"/>
of legs	Yes <input type="checkbox"/>	No <input type="checkbox"/>
of ventrum	Yes <input type="checkbox"/>	No <input type="checkbox"/>
of hind end	Yes <input type="checkbox"/>	No <input type="checkbox"/>
other	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Strong offensive odor from coat. Will require one or more baths to resolve odor.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Pododermatitis.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Choose 1 or 2 to describe toe nails

- 1. Nails extremely overgrown Yes No
 - 2. Nails long Yes No
- Nails penetrate pads (Describe; inflammation, pain?)
- _____
- _____

Nails interfering with normal gait.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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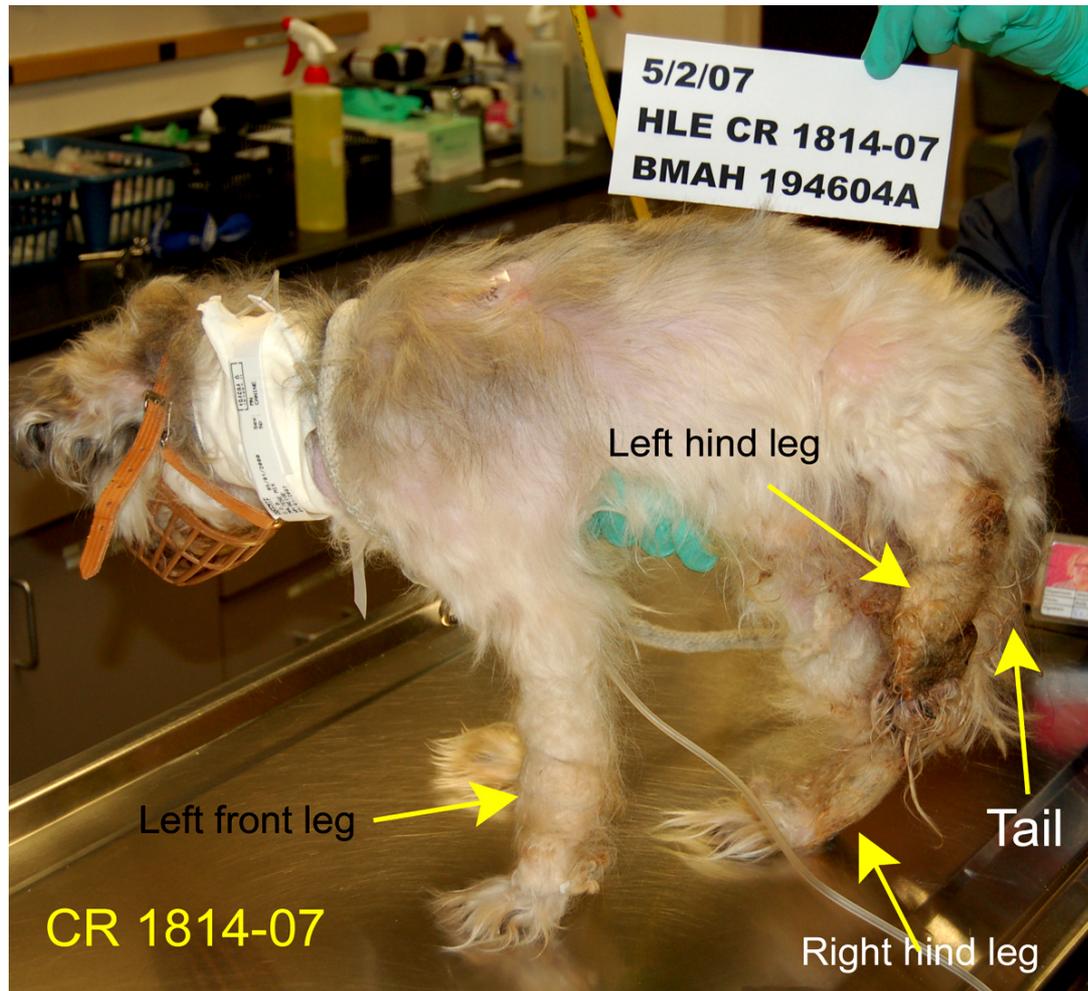


Miss Bea

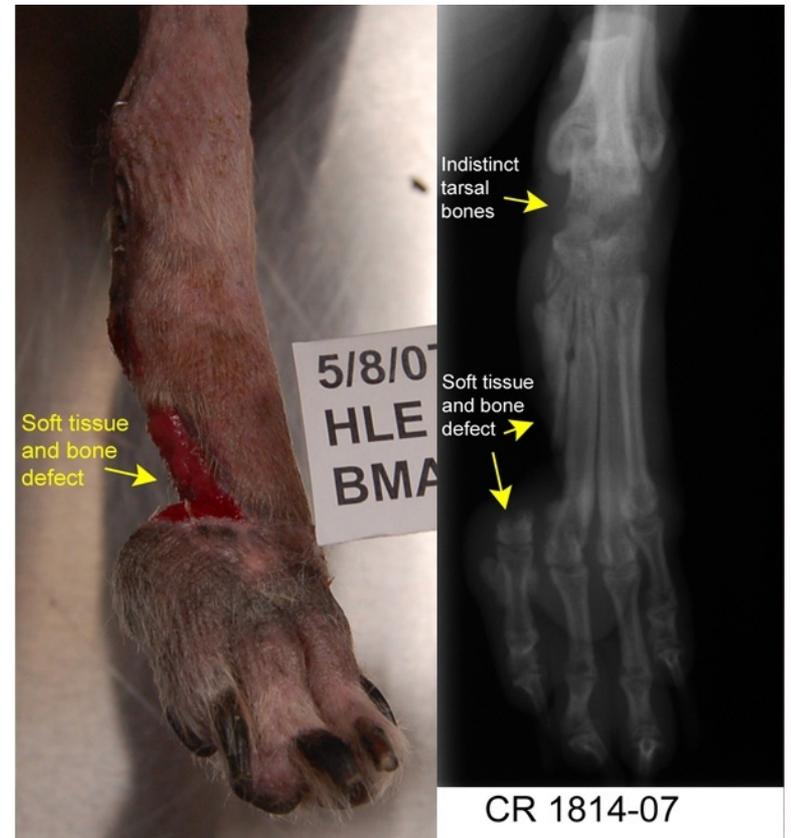


Hair Matting: Strangulation of Paw

8 year-old, neutered male, Maltese; "Preemie"



Matting Of Leg: Ischemic Injury



Non-Accidental Injury

- Blunt Force Trauma: Contusion, Abrasion, Laceration, Fracture
- Sharp Force Trauma: Incised wound, Stab Wound
- Gunshot
- Chronic Abuse (Battered animals, Repetitive Trauma) : Evidence of chronic abuse; Wounds at different stages of healing (Soft tissue wounds, Bone fractures)
- Animal Fighting (Dog Fighting, Cock Fighting)
- Binding Linear Wounds (Extremities, Muzzle)
- Burns
- Drowning
- Poisoning

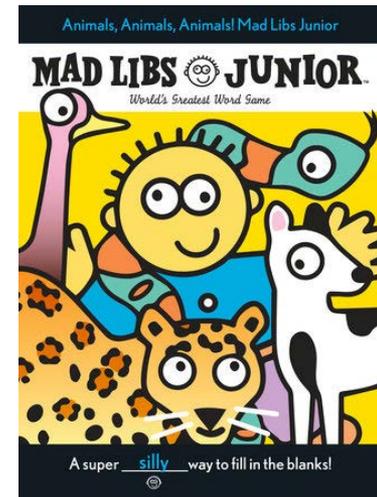
- Experience taking medical histories is a great foundation for forensic work

Keep in mind

- Perpetrators lie
- Or, there may be no knowledge of an event.
- Innocent owners may try to think of what happened, but they may be guessing
- Law enforcement hasn't conducted their investigation yet

Mad ~~Libs~~ Lies

- The dog...
- fell while it was being bathed
- fell from a shelf above the bathtub
- fell off of the couch or bed
- fell down the stairs
- was struck by the falling box spring
- was hurt in self-defense
- etc.



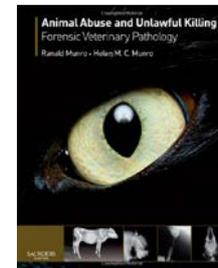
Why would you suspect that the animal is a victim of abuse?

Reasons To Suspect Animal Abuse When An Animal Is Injured

Medical History - Person(s) Behavior and/or Statements

- The person presenting the animal confesses or implicates another person
- The behavior of the person with the animal arouses suspicion
 - The person is reluctant to explain the animal's injuries
 - The person becomes defensive or angry when questioned
 - The person has a lack of concern for the animal

Munro, Ranald BVMS MSc. MRCVS, Helen M. C. Munro BVMS MRCVS. 2008. Animal Abuse and Unlawful Killing: Forensic Veterinary Pathology. Saunders Ltd. Philadelphia, Oxford.



Triggers That Put Animals and Children At Risk In A Household With A Violent Individual

- The need for constant supervision
- Urination and defecation in the house
- Chronic illnesses that require long term care and/or result in a significant financial burden
- Destructive, aggressive and/or noisy behavior
- Caught in the larger problem of Family Violence

Lynn Loar, "I'll Only Help You If You Have Two Legs", in Child Abuse, Domestic Violence, and Animal Abuse, Linking the Circles of Compassion for Prevention and Intervention, Frank R. Ascione and Phil Arkow editors, 1999.

Reasons To Suspect Animal Abuse When An Animal Is Injured

Clinical Signs

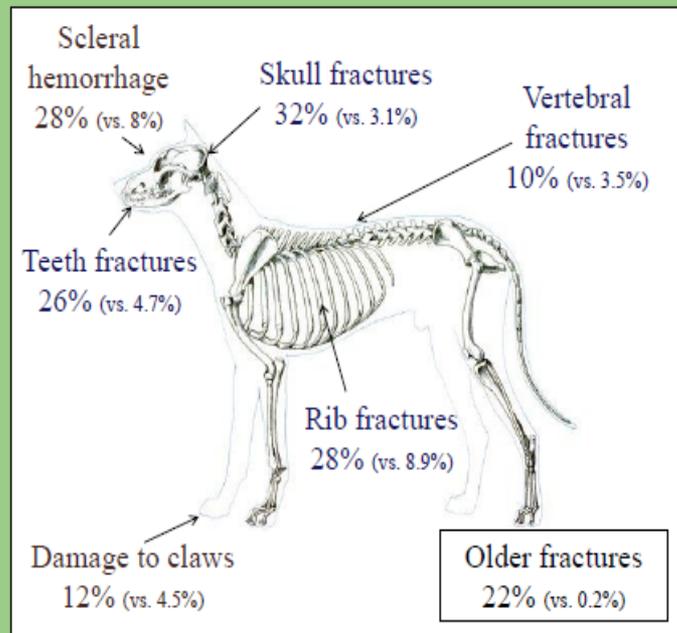
- Repetitive Injuries (“Battered” Animal)
 - The animal presents repeatedly with traumatic injuries
 - There are injuries of different ages (TIMELINE)
- The injury type may vary with each episode, but fractures feature prominently.
- The injury type cannot be explained by an accident.
- This is no history of accidental trauma (e.g. MVA)
- Rib Fractures are present

Injuries Caused by Accidental & Non-Accidental BFT

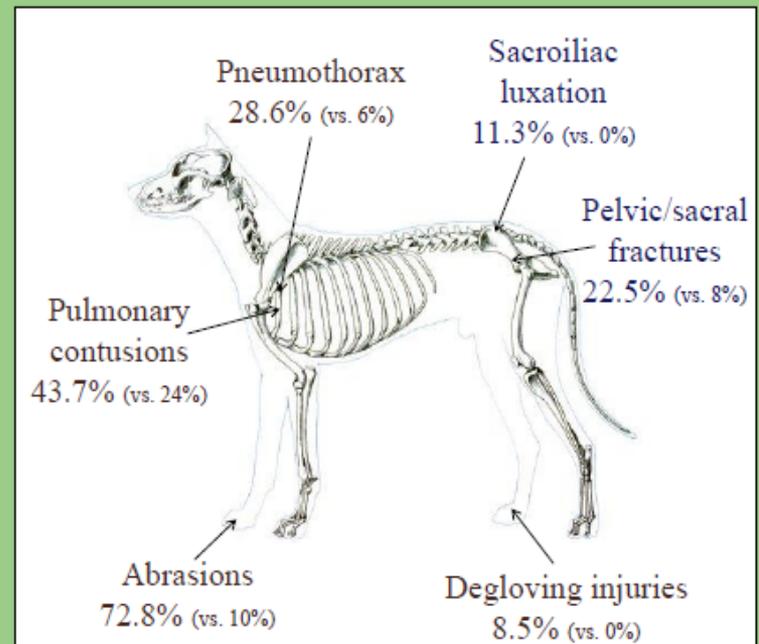
Characterization and Comparison of Injuries Caused By Accidental and Non-Accidental Blunt Force Trauma (J Forensic Sci, 2015)

N. Intarapanich, E. McCobb, R. Reisman, E. Rozanski

Non-accidental blunt force trauma



Motor vehicle accidents



Rib Fractures

U Penn MVA Study (Kolata 1975)

18/600 (3%) dogs had rib fractures

ASPCA – Tufts Study

MVA; 426 animals

38 (8.9%) had rib fractures

3 (< .7%) had rib fractures bilaterally

NAI; 50 animals

14 (28%) had rib fractures

5 (10%) had rib fractures bilaterally

Kolata, R. J., Johnston, D. E. (1975). Motor vehicle accidents in urban dogs: a study of 600 cases. *J Am Vet Med Assoc*, 167(10), 938-941.

N. Intarapanich, E. McCobb, R. Reisman, E. Rozanski. Characterization and Comparison of Injuries Caused By Accidental and Non-Accidental Blunt Force Trauma (*J Forensic Sci*, 2015)

Add x-ray imaging

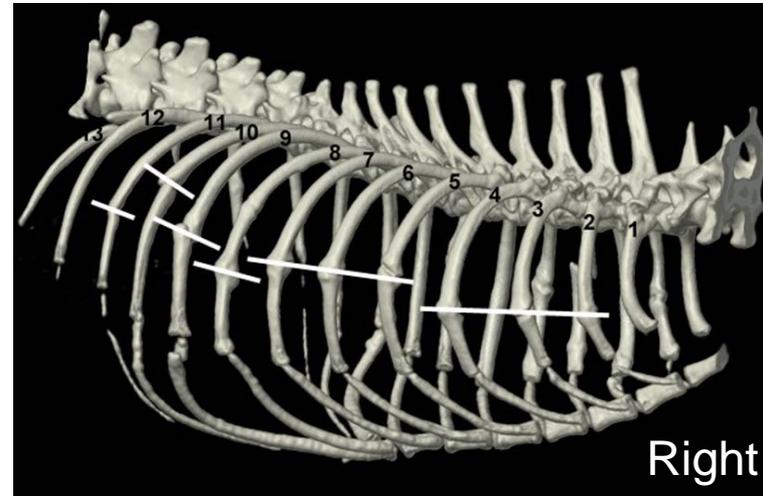
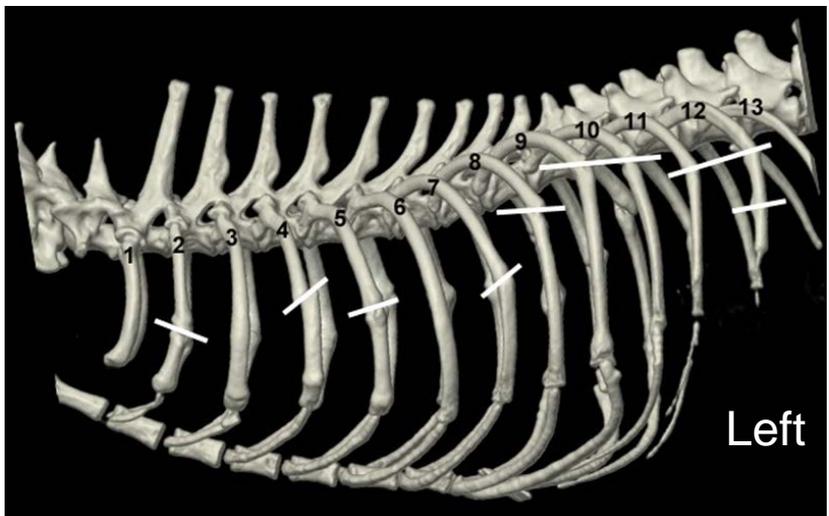
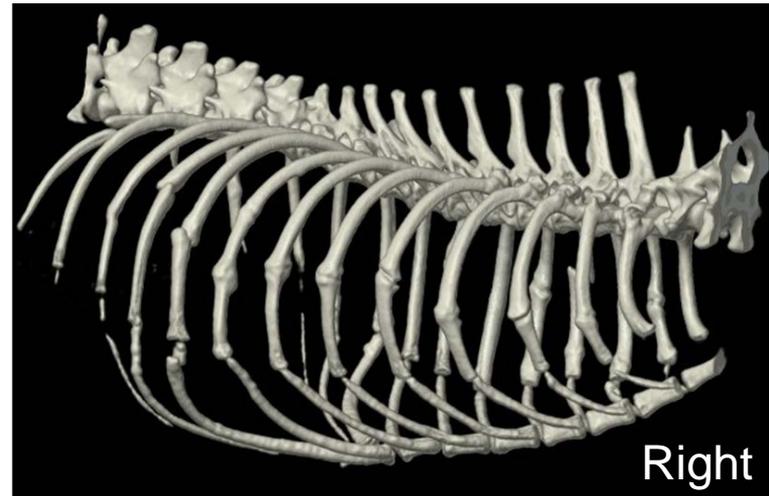
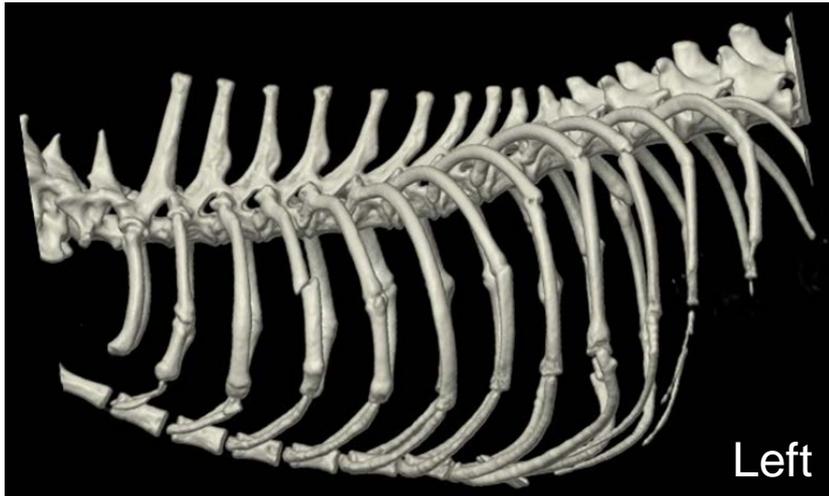


2/11/15
NYPD 2015-078-
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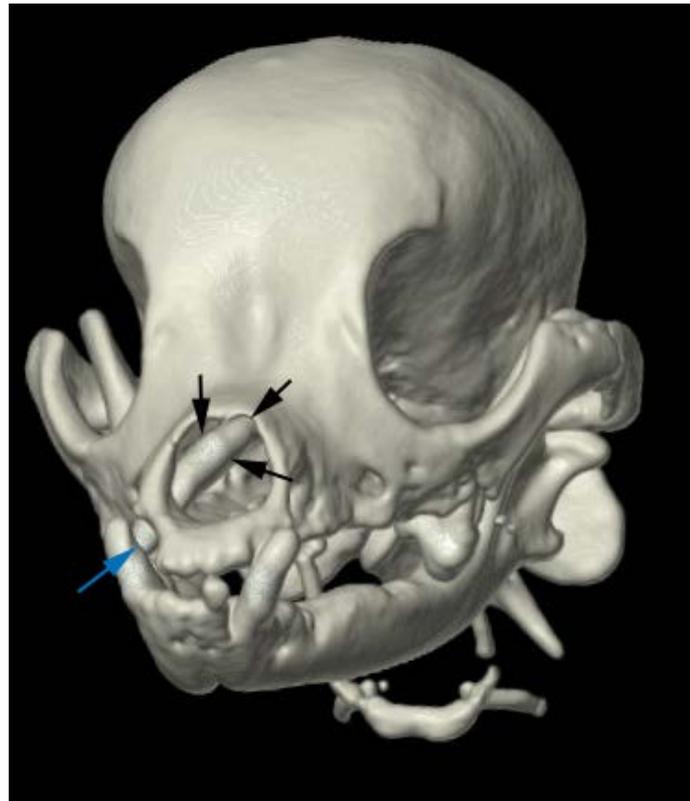


Severe epithelial and dermal
coagulative necrosis with
suppurative dermatitis

Reasons To Suspect Animal Abuse When An Animal Is Injured: Pattern of Injury



Add head trauma to rib fractures and burn



Co-occurring Cases of Animal Cruelty and Domestic Incidences

2014 – 2016

66 cases
79 animals

Type of Event	Deceased			Live			% of Total
	Dogs	Cats	Hamster	Dogs	Cats	Total	
Hit With Implement					2	2	
Stomped on animal	1					1	
Hit animal					1	1	
Kicked animal	2			2		4	
Thrown to floor	4	1		2		7	
Thrown against wall	3	7	1	2	2	15	
Thrown from balcony		1		1		2	
BFT* Not Witnessed	4	1		13	1	19	
NAI** BFT - Total	14	10	1	20	6	51	64.6%
Sharp Force Trauma	1	1		2		4	
Set on fire				1		1	
Gunshot				1	1	2	
Partial Drowning					1	1	
Strangled				1		1	
Instigated dog fight				1		1	
NAI** Not BFT - Total	1	1	0	6	2	10	12.7%
Not fed				10		10	
Abandoned				4		4	
Neglect Total	0	0	0	14	0	14	17.7%
No injuries identified				3	1	4	5%

Co-occurring Cases of Animal Cruelty and Domestic Incidences

2014 – 2016

66 cases
79 animals

Deceased Animals	Fracture sites	Event
246289	Skull, left femur	Threw Maltese dog to floor
246494	Eye socket, right-left ribs	Kitten thrown against wall
246573	Skull, right ribs, femur	Kitten thrown to ground
246759	Skull, right ribs, right femur, left tibia	Dog injured in bedroom unwitnessed
247112	Skull, mandible	Kitten thrown against wall
247113	Skull, mandible	Kitten thrown against wall
247363	Skull, pelvis	Dog grabbed out of owner's hands and thrown to ground
247827	Maxilla, right ribs	Kitten thrown around room
247952	Skull, right-left ribs	Cat thrown against wall
247953	Skull, left ribs	Cat thrown against wall
247952	Skull, right-left ribs	Cat thrown against wall
247953	Skull, left ribs	Cat thrown against wall
247954	Maxilla, Nasal, Teeth	Individual threw cat from 3rd floor apt, then stomped on cat
Live Animals		
247599	Nasal bone, teeth	Observed boyfriend hit cat with stool.
247444	Frontal sinus, right-left ribs	Not witnessed

Cases with multiple bone fractures and the associated traumatic event. Eleven of the animals with more than one bone fracture were deceased. Ten of the thirteen events (deceased and live animals) were witnessed. In each of the witnessed events the animal was thrown.

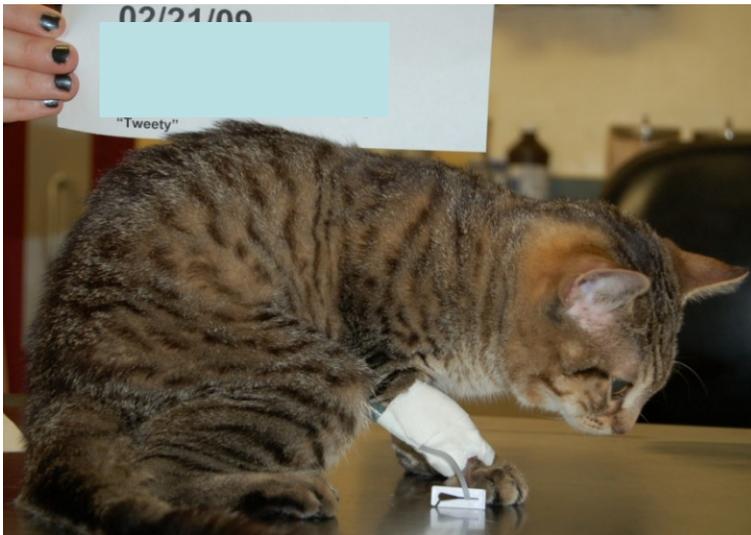
Key Motor Developmental Milestones In Cats & Dogs

- Well understood in children
- Development of the ability of a kitten to right itself while falling develops between four to six weeks of age.
- By six or seven weeks of age kittens are able to turn over in mid-air and land on their feet: they do not land on the top of their heads.
- Explanations of 'falls' to explain severe head injuries, including skull fractures (commonly encountered in NAI cases in kittens), are unlikely to be accurate.

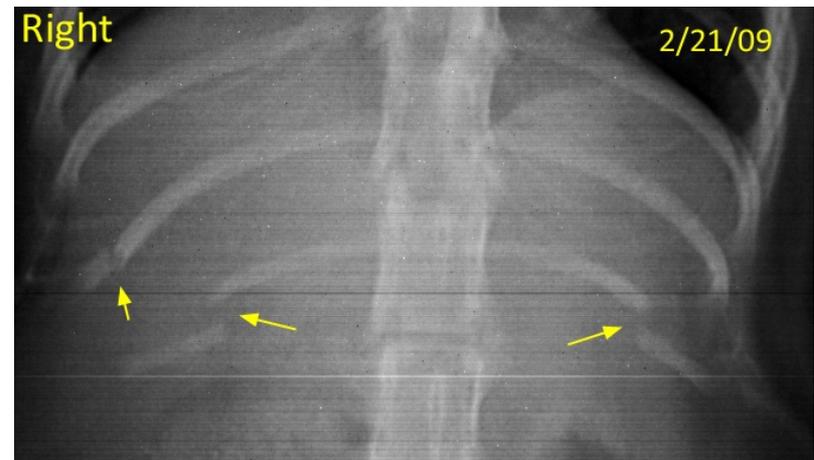
Munro and Munro 2008

Battered Animal Syndrome

Tweety: 6 mo, FS, DSH



- Sedate behavior
- Anisocoria
- Traumatic Brain Injury
- Rib fx's: Rt 12, 13, Left 1, 13
- Fractured maxillary canines
- Anemic



Battered Animal Syndrome

Felix: 5 mo. Male, DSH



- Dull mentation
- Anisocoria
- Healed rib fractures, right and left 13th ribs
- Right side of face swollen
- Scruff of neck thickened

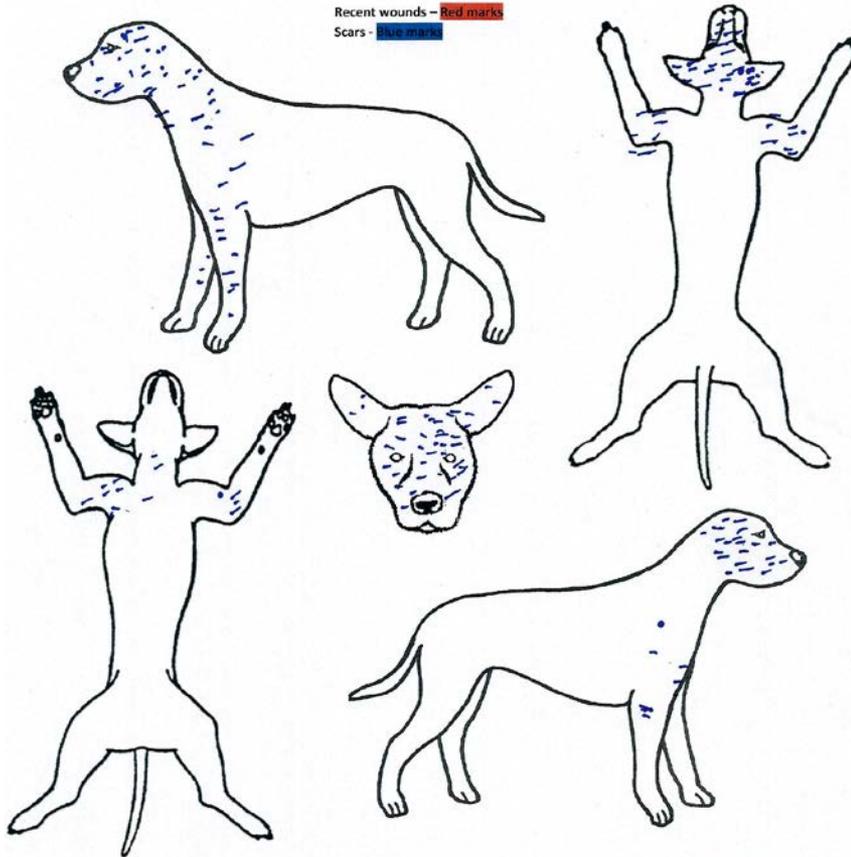


Dog Fighting in NYC

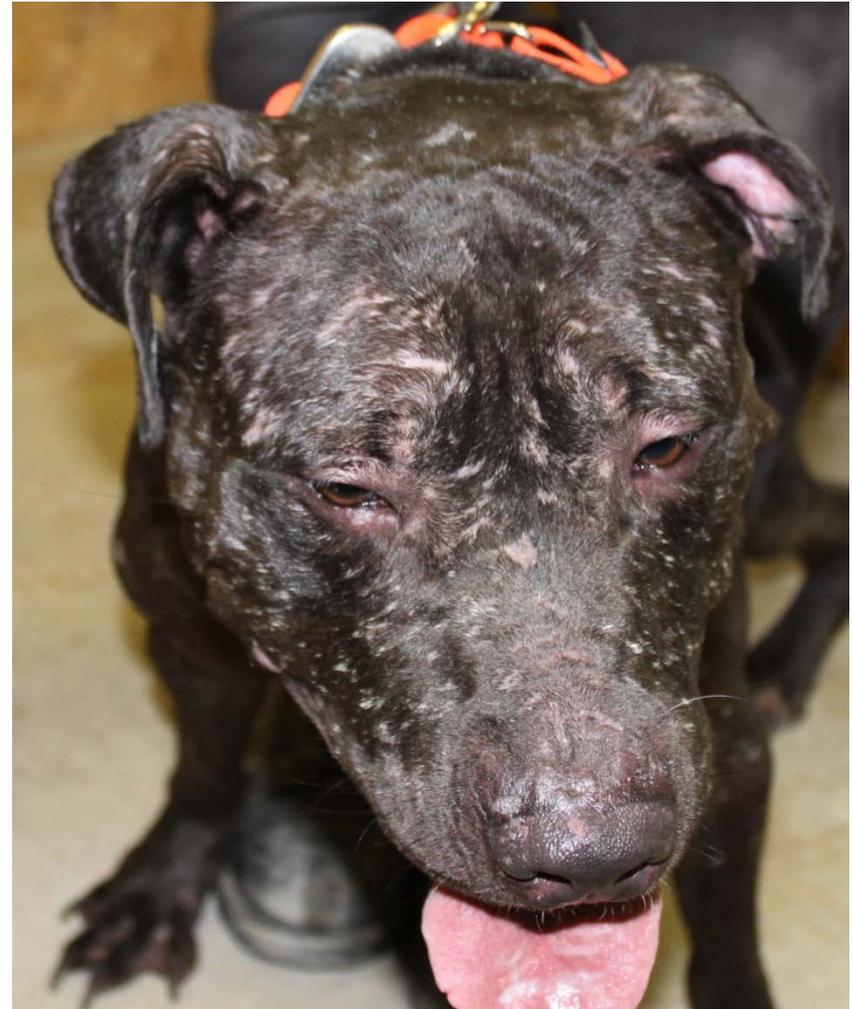
Skin (Wounds and Scars), Hair coat

Veterinarian: Reisman Date: 6/24/12
Law Enforcement Agency: NYPD Case #: 437-11
Dog ID #: A702 #4 Distinguishing Marks/Comments: _____

Recent wounds - **Red marks**
Scars - **Blue marks**



Note: Ears removed from lateral views so that wounds/scars under ears can be diagrammed.



These are also the standard photographic views for every case



Dog Fighting in NYC



Dog Fighting in NYC

Breeding operation:

- Pit Bull dogs, all intact
- Dogs are housed separately from each other
- There is a high level of aggression identified during behavioral exams. Euthanasia rates are typically 30 – 50%
- Babesia gibsoni infected dogs
- Skin scarring may or may not be present
- Injured females who are still used for breeding

Training - Add to above;

- Fighting paraphernalia
- +/- bite injury scarred dogs (< 2 years-old minimal scarring).

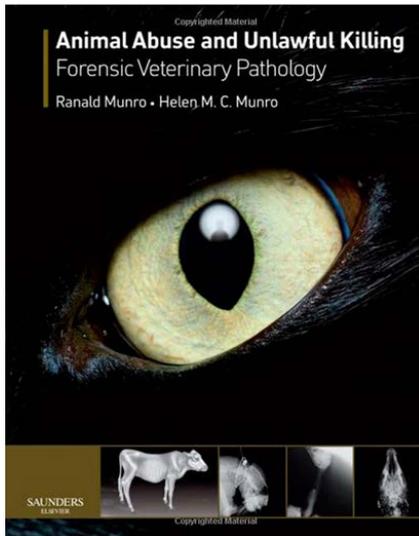
Dog Fighting in NYC

Fighting - Add to above;

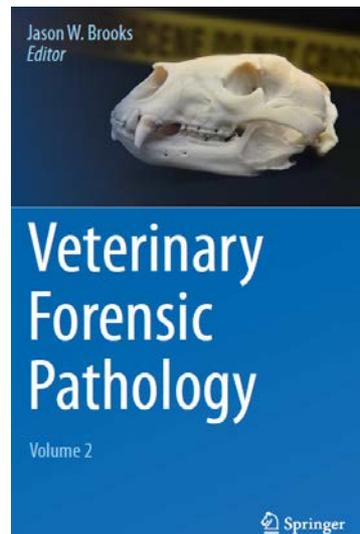
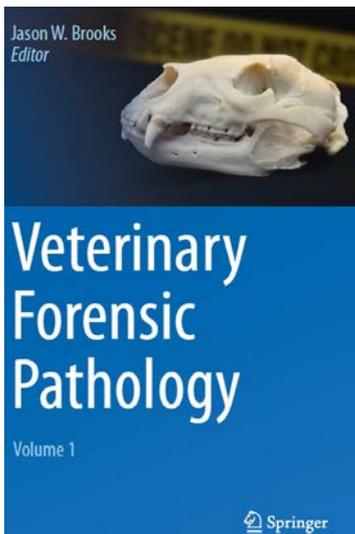
- Skin scarring more extensive across a group of dogs and in individual dogs with a distribution focused on the front of the dog's body. Higher levels of aggression in dogs that have more skin scarring
- Higher *Babesia gibsoni* infection rates
- Fighting pit at location (may be disassembled)
- Deceased animals at location including: empty shelters, graves and methods of killing dogs

Intarapanich, N. P., Touroo, R. M., Rozanski, E. A., Reisman, R. W., Intarapanich, P. P., & McCobb, E. C. (2017). Characterization and comparison of injuries caused by spontaneous versus organized dogfighting. *Journal of the American Veterinary Medical Association*, 251(12), 1424-1431.

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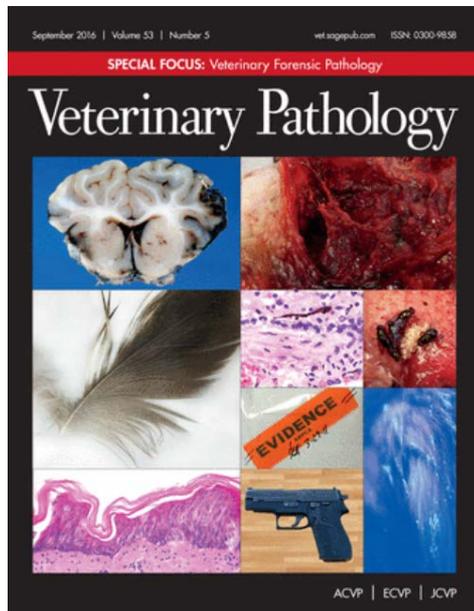
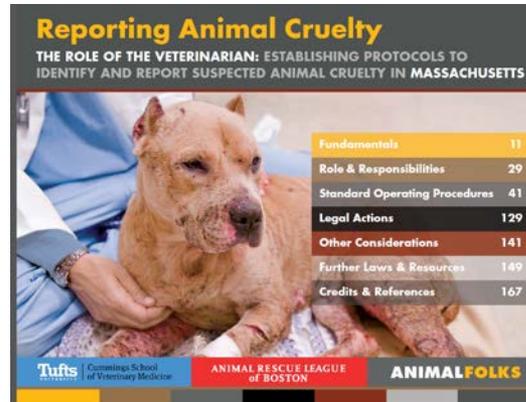


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Summary

- Animal Cruelty is a legal determination
- The three disciplines of; veterinary medicine, law enforcement and law are all gaining knowledge and experience in animal abuse
- Categories of Animal Abuse are Neglect and Non-accidental Injury
- The forensic veterinary evaluation provides detailed information about the animal's health
- Historical and clinical information may raise suspicion about animal abuse
- Do complete evaluations if possible, including a physical exam, lab work and radiographs as a minimum database

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