

Is it abuse?

Everyday veterinarians see dozens of animals, often during a limited time frame. Most of us have been told if you hear hoof beats think horses, not zebras. However, we need to not forget about the zebras. When do health or other issues found during an examination indicate bad luck (or lack of proper vaccination) and when do they indicate possible criminal neglect or cruelty?

Neglect is defined as the omission of providing care for an animal. The most basic form is the lack of providing adequate food and/or water to maintain the animal in normal body condition and/or normal hydration. In Indiana, the definition of neglect also means failure to provide adequate shelter to protect dogs and cats from weather extremes, to tether an animal in a manner that adversely impacts its health (tether not at least three times the length of the animal, tether too heavy for the animal, etc.), and failure to provide adequate medical care to treat serious injury or illness of dogs and cats.

Cruelty is defined as striking, tormenting, or injuring an animal. Torture is defined as intentionally causing harm to an animal with the intent to increase or prolong the animal's suffering or to poison a domestic animal.

**Neglect:**

**Indications of neglect include:**

- The animal being significantly underweight
- Heavy external and/or internal parasite load
- Overgrown nails/hooves
- Severe dental disease
- Severe matting of hair
- Unattended injuries or illnesses

Unfortunately most owners who neglect their animals do not seek veterinary care for those animals. You may, however, hear from a client about a situation that causes them concern or you may observe animals yourself when out in public.

**If an owner does ask you to evaluate a neglected animal(s):**

- Provide the owner with clear steps he/she is to take and timelines to accomplish those steps
- Document your discussion
- Give the owner a written list of the steps/timelines similar to how we communicate about puppy booster vaccinations

If you can work with him, he shows improvement in his caregiving, and the animals improve, that is a win-win-win situation. You have just educated someone on proper animal care and hopefully he will remember the lesson(s) well. If, on the other hand, you try to educate the owner and the owner doesn't follow your instructions or does for a while then falls back to his

old ways, your documentation showing you tried to educate the person will help law enforcement.

Tools available to assess whether animal neglect is taking place include:

- Species-specific body condition scoring charts (e.g., Purina for dogs and cats, Henneke for horses)
- Capillary refill and/or skin tent for hydration
- Observation for overgrown nails/hooves or unattended illnesses/injuries
- In a clinic setting you may also be able to:
  - Weigh the animal
  - Perform tests such as:
    - CBC
    - Chemistry panel
    - Fecal
    - Heartworm test
    - Hydration status
    - Bone marrow (femoral) fat analysis – for deceased animals that appear malnourished; see below for submission details

### **Abuse/Cruelty:**

Indications that animal abuse/cruelty is occurring in a household include:

- Recurrent visits to your clinic for injuries
- Presence of injuries in various stages of healing
- Rapid turnover of animals (previous animal “ran away”, got a new animal)
- History given by caretaker doesn’t match the injuries

As surprising as it may sound, households where animal abuse is taking place may bring the animal in for veterinary care.

Tools available to assess whether animal abuse/cruelty is taking place:

- You and your staff keeping very good records
- Document any injuries in the animal’s chart
- Document what owners say happened –
  - How did the injury reportedly occur
  - What happened to previous animal(s)
- If possible, take photos with and without a ruler to document flesh injuries. Photos with a ruler in place should be taken at a 90 degree (straight on) angle to the ruler
- If possible, take radiographs of every part of the animal’s body to determine if skeletal injuries are present (like with flesh wounds, multiple skeletal injuries in various stages of healing is a hallmark of abuse/cruelty)
- Be aware that lack of external bruising on the skin does not mean there isn’t deeper contusions/injuries. Oftentimes skin shows very little damage while there is wide-spread

damage to underlying tissues. If performing a necropsy be certain to reflect all of the skin off of the body to observe the underlying tissue

- Legal necropsy – for deceased animals, you may perform a legal necropsy in-house, documenting all findings – both normal and abnormal or you may refer law enforcement or animal control to Purdue ADDL or Heeke ADDL, see below for details

The American Society for the Prevention of Cruelty to Animals Professional (ASPCAPRO)<sup>[DD1]</sup> website, <http://aspcapro.org/resource/disaster-cruelty-animal-cruelty-animal-fighting/sample-documents-cruelty-cases> has forms for documenting the location of injuries (among many other helpful items). These may be useful to maintain in the animal's records. Be aware that the abuser may bring the animal in, or a family member. Family members may be evasive when questioned about how the injury occurred. Animal abuse is closely linked to spouse and child abuse; the family members may not be able to answer questions truthfully due to concern both for their safety and for the safety of the animal. Along those lines, it is better to not directly confront the suspected abuser with your concerns. Concerns expressed may cause the abuser to act out once the family gets home. In cases where you have a strong suspicion of animal abuse, it is best to contact law enforcement and animal control. As noted above, animal abuse tends to be an indicator of abuse of people. Multiple agencies may be needed to appropriately handle the situation.

Many of the tools available to evaluate whether neglect or abuse is taking place have costs associated with them. In most cases the owners will either not be able or not be willing to cover these associated costs. Some clinics develop a slush or emergency fund that can be tapped to cover some of the costs for clients who cannot or will not cover the costs themselves. This allows a more complete evaluation of the situation without overtaxing the clinic's revenue stream.

Bone marrow (femoral) fat analysis is recommended, but not required, for suspected neglect cases of deceased animals. The cost for bone marrow fat analysis plus accession fee at Purdue ADDL is \$110.00 (\$100.00 cost plus \$10.00 accession fee) as of September 2016. The femur(s) can be mailed to the lab. If mailing the femur(s) they may be mailed directly to Purdue ADDL: Indiana ADDL, 406 S. University St., W. Lafayette, IN 47907-2065.

Bone marrow fat analysis requires approximately 50 grams of fat, therefore in small animals, such as dogs, cats, or small livestock, both femoral bones should be submitted; in adult, large, livestock (horses/cattle) only one femoral bone is needed. If you have any questions contact the lab for guidance.

Legal necropsy is recommended, but not required, in suspected cases of abuse/cruelty in which the animal has died or had to be euthanized. Legal necropsies are very detail oriented. If you are not comfortable performing a legal necropsy you can direct law enforcement (LE) or animal control (AC) to contact Indiana (Purdue) ADDL, or Heeke ADDL. Both Indiana (Purdue) ADDL and Heeke ADDL can perform legal necropsies. The fees for necropsy vary depending on the size of the animal and what is requested. There is a \$200.00 surcharge for a legal necropsy. There is also a \$10.00 accession fee. The cost for a legal necropsy of a dog or cat

including all charges as of September 2016 is \$335.00; the cost for a legal necropsy of a horse as of September 2016 is \$360.00; the cost for a legal necropsy of livestock or poultry as of September 2016 is \$325.00. Up to date pricing can be found at: [www.addl.purdue.edu/testsfees/addlfeeschedule.pdf](http://www.addl.purdue.edu/testsfees/addlfeeschedule.pdf)

If LE or AC is interested in having a legal necropsy or bone marrow fat analysis performed you may direct them to contact Indiana ADDL, Purdue University, 1-765-494-7440 W. Lafayette location or Heeke ADDL, Southern Indiana Purdue Agriculture Center (SIPAC), 1-812-678-3401, in Dubois, for directions on current submission requirements and associated fees.

SIPAC can perform legal necropsies on-site; but will have to mail femurs to ADDL for bone marrow fat analysis.

A veterinarian is needed to fill out and submit the paperwork required for submission to the lab. Hand delivery of deceased animals or removed femoral bones should be to the receiving dock of the lab. Filled out paperwork is to be given to the receptionist at the lab. Animals or samples are not to be taken into the reception area.

If LE/AC are interested in DNA testing of animals (suspected dog fighting cases, dog bite situations, or to determine species of animal) direct them to contact either University of California Davis Veterinary Genetics Laboratory, [www.vgl.usdavis.edu](http://www.vgl.usdavis.edu), 1-530-752-2211 Mon – Fri 8:00 am to 5:00 pm PST, specifically Teri Kun, 1-530-752-5026, or University of Florida, Ginger Clark, 1-352-294-4487, [gclark@ufl.edu](mailto:gclark@ufl.edu). Either lab should be contacted prior to collecting samples if possible. DNA testing is fairly expensive. Non-profit entities such as the ASPCA may have funds available to cover or help cover the costs of DNA testing in dog fighting cases.

In suspected animal sex abuse cases LE should utilize a human sexual assault kit. There are variations between human and animal seminal fluid so a lab can differentiate between human and non-primate seminal fluid. DNA testing of samples is also highly recommended. A trained medical technician or a licensed private veterinarian should perform sample collection. A forensic medical examination (see recommendations under both Neglect and Abuse/Cruelty above, plus possible toxicology screening for sedatives) should be performed by a licensed veterinarian on the animal after sample collection.

In Indiana, a veterinarian or veterinary technician who reports in good faith and in the normal course of business a suspected incident of animal cruelty (neglect/abuse) to a law enforcement officer is immune from liability in any civil or criminal action brought for reporting the incident: Indiana Code 25-38.1-4-8.5

What to do if you suspect criminal animal neglect or abuse:

- Document your findings in detail
- Be aware your records may be requested by an investigating agency (law enforcement or government agency)

- You can turn records over to law enforcement or government agency without owner consent under IC 25-38.1-4.-5.5(e)
- Contact your county law enforcement or county animal control to report your concerns. Which agency to contact varies by county and sometimes by species
- For livestock or poultry welfare concerns, you can also contact BOAH central office 317-544-2400, or your local BOAH field veterinarian directly, or report online at: [www.in.gov/boah/2760.htm](http://www.in.gov/boah/2760.htm)

When reporting suspected cases of animal neglect or abuse be able to provide:

- Animal owner's name
- Owner's phone number and address
- Location of the animals, if different from the owner's address
- Species of animal involved
- Number of animals involved (if you know)
- What your concerns are
- The better documented your concerns are, the greater the chance law enforcement or animal control can take steps to investigate the situation. They will be relying on you as a veterinarian and your documentation to move forward with a case. You are recognized as an expert on animal issues. If the case is pursued criminally, be available to give a deposition and/or testify in court

Veterinarians are the first line of defense in a wide variety of areas including animal health, public health, foreign animal disease, and animal welfare. Staying aware and keeping zebras in mind as you perform your professional duties helps protect those who can't protect themselves.