



Testimony of

Jo-Anne Basile, Executive Director of CT Votes for Animals

In Support of SB 53, An Act Requiring Veterinarians to Report Cases of Suspected Aggravated Animal Cruelty and Authorizing the Reporting of Suspected Animal Cruelty

Before the Joint Committee on the Environment

January 30, 2023

Co-Chairs Senator Lopes and Representative Gresko, Vice Chairs, Ranking Members Senator Harding and Representative Callahan, Honorable Members of the Joint Committee on the Environment.

I am Jo-Anne Basile, Executive Director of CT Votes for Animals, a CT based grass roots animal advocacy organization. On behalf of our over 8,000 supporters and social media followers, I am here today to testify in support of SB 53, An Act Requiring Veterinarians to Report Cases of Suspected Aggravated Animal Cruelty and Authorizing the Reporting of Suspected Animal Cruelty. CT Votes for Animals wants to thank Senate President Pro Tempore Martin Looney for introducing the legislation and of course, the Committee for raising the bill for today's hearing.

Mandatory reporting of suspected animal cruelty by veterinarians is an important component to CT's effort to address animal cruelty. If adopted, SB53 will bring CT laws one step closer to providing better protective measures for animals.

There are multiple reasons why we should institute a state-wide mandatory reporting requirement for veterinarians. For years, science has been clear about the well-established "link" between animal cruelty and other forms of violence. "The Link evidences that it is critically important that animal cruelty be taken seriously by law enforcement, and by society at large for the sake of the

animals and humans," stated Phil Arkow, coordinator of the National Link Coalition.¹

Connecticut already has taken a major step aimed at protecting children and combatting cruelty to animals. CT's cross reporting law requires the Department of Children, Youth & Family social workers and the Department of Agriculture to report findings of abuse in homes that include children and animals. In DCF's 2019/2020 report to the legislature they found a noticeable increase in reports of animal cruelty. According to the report, "There was an increase in reported cases from 69 reports in 2019 to 120 reports in 2020." Of the 120 reports in 2020, 25% had prior DCF history. "²

Adding a required veterinary reporting component to the process increases the ability to identify and enhance early intervention strategies. CT Votes for Animals believes it is crucial the law empower veterinarians to report suspected animal cruelty when they encounter signs of abuse in their practice. Not only are veterinarians often the only witnesses to animal abuse, but they are uniquely qualified to identify the signs of cruelty.

Presently CT is one of only 13 states throughout the country which has no required veterinarian reporting of animal abuse. ³ In contrast, more and more states are adding laws on mandatory reporting not only for the sake of the animals but also because of the link between animal cruelty and other forms of violence. When law enforcement investigates concerns for animal cruelty or neglect, they often find other crimes such as domestic violence, child abuse, elder abuse, and other forms of interpersonal violence and crime.

Because veterinarians are a critical partner in identifying cruelty, of necessity, they must have protection or civil and/ criminal immunity for veterinarians reporting in good faith. All states with mandatory reporting also require immunity for the reporting veterinarian.

CT Votes for Animals strongly supports SB 53. However, we ask that the Committee make the reporting mandatory regardless of the nature of the cruelty. Frankly, establishing two tiers for veterinary reporting is cumbersome and not workable. It requires too much speculation and may result in no

¹ The National Link Coalition: The National Link Coalition is a multi-disciplinary, collaborative initiative to increase awareness and address public policy, programs and research. <https://nationallinkcoalition.org>

² <https://portal.ct.gov/DCF/SPOTLIGHT/2021/APRIL/PAWS>

³ Michigan State University Animal and Legal and Historical Center 2022

<https://www.animallaw.info/content/map-veterinary-reporting-laws-animal-cruelty>

reporting taking place. CT's cruelty laws suffer from lack of clarity; establishing a two-tier system for reporting only exacerbates that problem.

In closing, let me share some statistics from the National Link Coalition that are a striking illustration of the need for mandatory veterinary reporting⁴:

- One survey of veterinarians estimated that practitioners will see 5.6 cases of animal abuse per 1,000 patients.
- In a survey of all North American veterinary schools, 97% of school administrators reported that they believe that practitioners will encounter serious animal abuse during their careers. (*Sharpe, 1999*).
- The Tufts University College of Veterinary Medicine reported that 78.9% of practitioners had observed at least one case of animal abuse, and 16.4% had observed more than five cases of animal abuse. Over 93% of respondents believed they had an ethical responsibility to report suspected animal abuse, and 44.5% believed this responsibility should be mandated by law. (*Donley, Patronek & Luke, 1999*).
- Females are the primary caregivers in 72.8% of pet-owning households: over 64% of households with children under age six, and 72% of households with children over age six, have pets. (*American Veterinary Medical Association 2002*)
- Child abuse, domestic violence, elder abuse and animal cruelty and neglect are widely recognized as public health problems as well as crimes. (*Patronek, 2004*)

There are laws in every state that require mandatory reporting of child abuse by teachers, physicians, social workers and sometimes even veterinarians. Given the link between child abuse and cruelty to animals we should expect nothing less than a similar requirement for animals by those best qualified to see and recognize the signs of abuse.

Thank you.

⁴ Veterinary Medicine and The Link: <https://nationallinkcoalition.org/what-is-the-link/veterinary-medicine-and-the-link>

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January 30, 2023**

Co-Chairs Senator Lopes and Representative Gresko, Vice Chairs, Ranking Members Senator Harding and Representative Callahan, Honorable Members of the Joint Committee on the Environment.

I am Dr. Virginia Maxwell, Professor in the Forensic Science Department and Henry C. Lee Endowed Chair in Forensic Science at the University of New Haven, and board member of Connecticut Votes for Animals. As a professor I teach classes in the Forensic Investigation of Animal Cruelty, I guest lecture on topics related to animal cruelty, I have written book chapters and articles about animal cruelty, and I have recently co-authored a textbook entitled Investigating Animal Abuse Crime Scenes (publication date May 2023). I have approximately 30 years of experience in Forensic Science, including 15 years at the State of Connecticut Forensic Science Laboratory. I would like to offer testimony in support of SB 53, An Act Requiring Veterinarians to Report Cases of Suspected Aggravated Animal Cruelty and Authorizing the Reporting of Suspected Animal Cruelty. Please note that the opinions expressed herein are my own and do not represent the opinions of the University of New Haven

Without a doubt, veterinarians and other veterinary professionals play a critical role in the investigation of animal cruelty because in their professional capacity they can see and recognize victims of animal cruelty, and by introduction of a clear reporting mechanism, prevent future harm. The link between human violence and animal cruelty is well documented¹, and a history of animal cruelty is a predictor of current and future violence directed against people, indeed, in sexual assault, a history of animal cruelty is a best predictor than previous convictions for homicide, firearms offenses or arson¹. The connection between human violence and animal cruelty clearly shows that animal cruelty is a problem affecting more than just animals and emphasizes the importance of reporting instances of animal cruelty and punishing those who are responsible. It is an important mechanism by which early intervention of violent behavior can occur and, through mandatory cross-reporting with welfare service, by which we can protect vulnerable people. Consider the following examples that might be encountered by a veterinarian:

1. An intact male dog adopts a lordosis posture when examined or has a dislocated or broken tail. These are signs of animal sexual assault which typically co-occurs with child sexual abuse and other forms of pedophilia.
2. A dog has multiple deep bites to the head, neck, chest, and abdomen. These are some of the signs of dog fighting, which co-occurs with other criminal activity such as drugs, firearms, gangs, child endangerment, illegal gambling, and trafficking in persons.
3. An animal presents with blunt force trauma injuries that are inconsistent with the owner's description of how they occurred: perhaps radiography shows additional healed trauma. We should be concerned that other people in the home will also be experiencing abuse.

4. An individual rarely brings the same animal twice, and only for injury or disease. The animals are always dirty, there is a foul odor, and the owner is reluctant to discuss how many animals they own. This is consistent with animal hoarding and vulnerable people in the home, such as children or the elderly, are at risk.

Over 30 states have already imposed a duty on licensed veterinarians to report suspected animal cruelty², and with SB53, Connecticut will join those states. Crucially, a companion immunity provision is also provided protecting a veterinarian from any civil or criminal liability arising from the reporting of the abuse; we could not expect veterinarians to report without offering this protection.

While SB53 introduces mandatory reporting of aggravated animal cruelty, it only provides for *permitted* reporting of other suspected animal cruelty, including neglect. I would respectfully urge the committee to consider that all suspected animal cruelty require mandatory reporting. While neglect is thought of as being a crime of omission, the effects of long-term neglect cause no less pain, suffering and distress as other more obvious forms of cruelty. It is not a benign form of animal abuse and, using the Reasonable Person doctrine, a veterinarian can assess at what point the declining condition, and therefore the suffering, of the animal should have been obvious. Neglect can take the form of starvation, obesity, ingrown claws, embedded collars, and coats so matted that the animal cannot see, eat, defecate, or even walk. In extreme cases matted coats cut off blood supply to limbs or feet resulting in necrosis, while starvation causes weeks of suffering before death occurs.

Further, SB53 distinguishes between aggravated animal cruelty and suspected animal cruelty where aggravated animal cruelty includes determination that the act is malicious and intentional. Thus, it requires that *mens rea* and intent be determined by the veterinarian at the point of treating the animal. Though it seems that this should be an obvious determination, this is often difficult to prove, and I believe that imposing this burden on veterinarians will result in cases that should be subject to mandatory reporting sliding into the category of permitted, but not mandatory, reporting.

In closing, I wish to thank the committee for taking up SB53 and making an important commitment to combatting animal cruelty occurring in the State of Connecticut, providing additional protections for animals, but also for the population of Connecticut. I would respectfully ask that the Committee consider requiring mandatory reporting of *all* suspected cases of animal cruelty.

References:

1. The National Link Coalition <https://nationallinkcoalition.org>
2. Michigan State University Animal and Legal and Historical Center 2022 <https://www.animallaw.info/content/map-veterinary-reporting-laws-animal-cruelty>