

A Common Bond:

Maltreated Children and Animals in the Home

Guidelines for Practice and Policy



by **Mary Lou Randour**

The Humane Society of the United States

with **Howard Davidson**

American Bar Association Center on Children and the Law

Published by



AMERICAN HUMANE

Protecting Children & Animals Since 1877

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THE HUMANE SOCIETY
OF THE UNITED STATES



AMERICAN BAR ASSOCIATION

ACTION
For Child Protection

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Defending Liberty
Pursuing Justice

AMERICAN BAR ASSOCIATION



For Child Protection

The ABA Center on Children and the Law aided the development of this publication. However, the views expressed herein have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and accordingly should not be construed as representing the policy of the American Bar Association.

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- Guideline 8** Reporting and cross-reporting procedures, and collaborative training between child protective services and animal services agency personnel, should be specified in law.
- Guideline 9** Where no cross-reporting procedures are specified in law, child protective services workers, child welfare agencies, juvenile courts, and animal services agencies should collaborate and share information and resources whenever possible.
- Guideline 10** The laws, policies, and professional norms surrounding the issue of confidentiality should be thoroughly studied with the goal of finding ways to encourage collaborative interagency interactions when reporting and investigating child and animal abuse and neglect.
- Guideline 11** Laws should recognize the evidentiary importance of facts related to animal cruelty at trial and at disposition/sentencing in child maltreatment cases.
- Guideline 12** Animal cruelty, and the presence of animals in the home that may have been adjudicated as dangerous or otherwise determined to present high risks to children, should be listed in the law as factors relevant to: custody and visitation decisions (for children and animals); judicial consideration of removal of children and animals from the family home; and court-imposed conditions of current or future possession of animals.
- Guideline 13** Criminal laws related to animal cruelty should be strengthened and should be in the penal code.
- Guideline 14** Every state animal cruelty law should contain a provision that mandates counseling for juveniles adjudicated for animal cruelty.
- Guideline 15** Information on coinciding animal cruelty should be included in the collection and analysis of federal incidence study data or annual state statistics on child abuse and neglect.

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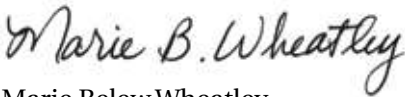
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Foreword

As the heads of our organizations, each of us is devoted to fulfilling our respective missions. And, while some of our goals differ among our diverse organizations—since, at times, we serve different constituencies—certainly the purpose of *A Common Bond* is not only compatible with, but also supportive of, the core missions of all our organizations. Recognizing this shared perspective, we enthusiastically joined with one another—through our expertise in animal protection and child welfare policy and practice—to support the development and publication of this important new resource for court personnel, child welfare professionals, and animal protection officers. By doing so, we hope to encourage other groups to find common interests and to work together on similar joint efforts.

A Common Bond makes the point that, to keep families safe and protect children, we need to consider the role that pets play in families. Animal abuse in families often is one of the first indicators that a family needs help. Paying attention to animal abuse provides another important tool with which to guard children from abuse and neglect, provide needed support to families, and protect animals.

A Common Bond offers a framework, based on firm evidence and reasoning, in which to understand the interaction between child neglect and animal abuse. Just as important, it provides practical information, specific suggestions, and useful resources to the many hard-working professionals who are devoted to the safety and protection of children, families, and the pets who live in those families. We hope it will serve as a valuable tool in helping protect and improve the lives of all.




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Introduction

Practitioners, advocates, policymakers, and researchers now acknowledge that violence against children frequently exists alongside other forms of family violence, such as domestic violence. A shift in conceptualizing child maltreatment and family violence occurred, and it no longer seemed wise to treat those different forms of violence as separate, unrelated problems.

In a similar spirit, *A Common Bond* examines the significant role that animals play in child development and in family and community life—whether the animals are beloved, mistreated, or simply forgotten. Accepting this more-inclusive understanding of the many currents in child development and maltreatment generates important questions:

- How can child protective services agencies work with other agencies to both intervene sooner and enhance safety when homes being investigated for suspected child abuse or neglect include family pets?
- What are the factors that need to be considered in these families?
- How can abusers be held accountable while also protecting the close bonds that may exist between children and their family pets?
- Does considering animal maltreatment as an important part of child maltreatment have implications for the identification of victims, the treatment of families, and legal and policy responses?

Purpose

The purpose of this publication is to offer the many groups and agencies associated with child protective services and animal welfare a framework within which they can interact, and in that interaction extend important protections to children and their companion animals. In addition to offering a framework of

the issues and their relationship to one another, it provides practical tools and resources—such as assessment and treatment approaches, model programs, and relevant legal and policy considerations—with which those issues may be addressed. These guidelines are intended to help deal with an important issue in homes with companion animals, when children in those homes become involved in the child welfare system: the protection and treatment of those pets as they relate to the safety and well-being of the children, which protective services professionals must continually address.

Guiding Principle

The principle that guides the recommendations offered herein is, simply stated:

Animal abuse is a type of interpersonal violence; it often co-occurs with child abuse and other forms of family violence. Identifying and treating animal abuse is an important tool in protecting children from abuse and neglect, while at the same time promoting the safety and well-being of both the children and their pets.

Who Can Use A Common Bond?

To strengthen protection for children and animals, and to preserve the bond between them, all relevant systems need to form networks and coordinate with one another. The relevant systems that have oversight responsibilities for children and animals include:

- Public child protective services, child welfare, or other human services agencies;
- Private family service providers working with families experiencing child abuse and neglect;
- Humane societies and animal services agencies;
- Juvenile and other trial court judges and attorneys involved in child maltreatment-related cases. *All* participants in the court systems need to grasp the relationship between animal abuse and child abuse, and other forms of violence. This would include judges, attorneys, guardians ad litem (GAL), social workers, child advocacy center personnel, court staff, Court Appointed Special Advocates (CASA), and other social service providers; and
- Any community efforts to improve child protection activities, e.g., citizen review boards, community collaborative boards, advisory boards, and child protective services multidisciplinary teams.

All these involved systems should examine their policies, practices, and programs so that the common bond between children and animals—and what happens when that bond is broken—is taken into account.



Chapter 1 Children and Pets in Families

Introduction

More than 64 million households in the United States include one or more companion animals. Many experts believe that the human-animal bond, as demonstrated by the number of homes in which people share their lives with animals, can be traced back to the beginning of human history. Noted ecopsychologist Paul Shepard (1978) has even proposed that animals have played an integral role in the development of human intelligence.

Adults sense the natural connection with companion animals and fill children's lives with animal presences—including books, art, toys, and videos—and with companion animals: more than 70% of U.S. households with minor children have pets. Children also feel a natural connection with animals. When asked to list the 10 most important individuals in their lives, 7- and 10-year-old children included two pets in their list, and 42% of 5-year-old children spontaneously mentioned their pets when asked, "Whom do you turn to when you are feeling sad, angry, happy, or wanting to share a secret?" (Foer, 2006).

Animals can influence positive psychological development in children by:

- improving their cognitive abilities;
- teaching them the important skill of empathy;
- supporting their self-esteem;
- offering opportunities to build interpersonal skills; and
- presenting them with opportunities to confront loss and respond to grief.

Contrasted to the many mutual benefits to children and animals of a trusting and satisfying relationship is the potential for this common bond to be broken by the maltreatment or neglect of the children or animals, resulting in long-term negative consequences for both.

The discussion below includes a summary of the research that illuminates and confirms the ways in which animals influence so many aspects of children's development. Of course, even in many households without companion animals, children learn important lessons about attachment, responsibility, and loss. While we recognize the importance of those contexts, our focus here is on the role that animals can play in family life. Following the discussion of the positive aspects associated with the relationship between children and animals, we turn to how the abuse and neglect of animals in families may track both the maltreatment of children in families and the negative influence of that maltreatment on the children's future.

The Common Bond

In the past 20 years, researchers have articulated something that many parents have known all along—animals, particularly companion animals in the family, can further children's development in positive and conclusive ways. Children relate to animals. Their natural affinity for animals—and the reciprocity of that feeling by the animals—establishes a context in which many important skills can be learned. One study of 300 boys and girls between the ages of 3 and 13 found that 99.3% of them wanted pets (Kidd & Kidd, 1985). Other research found that animals appear in the stories of children age 6 and under about 50% of the time (Domhoff, 1996) and in the dreams of children under age 10 up to 50% of the time (Beck & Katcher, 1996).

One important, clarifying point about the mutual benefit enjoyed by children and animals needs to be made: It is not simply the presence of an animal in a family that encourages a child's positive development; rather it is the bond with the animal that does so. Without a bond, or the establishing of a secure attachment, between the child and the animal, the potential in the child-animal relationship cannot be realized (Poresky, 1990).

The ability to form secure attachments is critical to a child's development; children who cannot form secure attachments may be at risk in numerous ways. For example, they are at higher risk for language and learning disorders, frequently show more difficulty in being able to regulate affect, and have a limited ability to form and enjoy stable relationships (Bowlby, 1969, 1973, 1980; Ainsworth, Blehar, Water, & Wall, 1978; Main & Solomon, 1990; Levy & Orlans, 1998).

However, when the child-animal bond is encouraged and developed, very tangible benefits accrue to children:

- Children who form a bond with their companion animals score higher on measures of social competence and empathy (Poresky, 1990).
- Ten-year-old children who had established strong bonds with their dog had significantly higher self-esteem, as well as greater empathy (Bierer, 2001).
- Children perceive their pets as special friends, important family members, and providers of social interactions, affection, and emotional support (Triebenbacher, 1998).
- Children who had a pet during their childhood were more empathetic, more prone to enter a helping profession, and were more oriented toward social values than those without a pet (Vizek-Vidovic, Arambasic, Kerestes, Kuterovac-Jagodic, & Vlahovic-Stetic, 2001).
- Children who had increased empathy scores because of their relationship with their pets also showed greater empathy toward people (Ascione & Weber, 1996).

In addition to having an influence on an individual child's development, animals can facilitate social interaction between children. When an animal is present, children are more likely to interact with a disabled child (Innes, 2000). Additionally, when a dog was present in the classroom of first graders, they showed higher social integration and less aggression compared to children in a classroom without an animal (Hergovich, Monshi, Semmler, & Zieglmayer, 2002). Finally, animals can positively influence not only individual children but human communities. A study in Australia found that having a companion animal provided more potential opportunities for interactions between neighbors and that having a companion animal was associated with some forms of social contact and interaction, and with perceptions of greater neighborhood friendliness (Wood, Giles-Corti, & Bulsara, 2005).

When the Bond Breaks

When the common bond between children and animals is nurtured, many benefits ensue—for children, animals, and the community. Nevertheless, sometimes the bond is ruptured by real or threatened violence in the family or by serious neglect. Children, and the society in which they live, pay a high price for witnessing violence—whether the violence was directed at a parent, sibling, or pet—and too often they pay it the rest of their lives. These children are at higher risk for developing behavioral problems, failing academically, and

engaging in delinquent and criminal behavior. They also are more vulnerable to physical and psychological problems, such as drug addiction, and their consequences (Connolly, 1999; Gelles, Lackner, & Wolfner, 1994; Margolis, 1998; Osofsky, 1995).

Strong consensus now exists among researchers and policymakers that child neglect and abuse, spousal abuse, elder abuse—and now animal abuse—are all elements of a family violence system. Perpetrators of violence seldom limit themselves to victimizing only one member of the family. There is a sizable overlap between child abuse and domestic violence; other overlap exists between animal abuse and child abuse, as well as between animal abuse and domestic violence. For example, a study found that animal abuse occurred in 88% of families that were under state supervision for the physical abuse of their children (DeViney, Dickert, & Lockwood, 1983).

State and national surveys of domestic violence victims consistently find that as many as 71% of battered women report that their male partners had threatened to or had, in fact, harmed or killed their pets (Ascione, Weber, & Wood, 1997). The survey results also point clearly to the deleterious effect on children who witness animal abuse in families: 32% of the women with children reported that one of their children also had committed acts of animal cruelty. Other studies reinforce the findings that animal abuse often is a child's maladaptive response to witnessing domestic violence and that children exposed to domestic violence are at significantly increased risk for behavior problems (Baldry, 2004; Currie, 2006; Moss, 2003).

Animals may be used by perpetrators to coerce children into silence. As noted by Davidson (1998), the threat of animal abuse to silence child sex abuse victims has been a factor in a number of criminal convictions. For example, courts in Maine and Idaho affirmed child sex abuse convictions, noting that the defendant had threatened, as well as actually killed, animals in front of the child victims.

Children who abuse animals, as compared to those who do not, are much more likely to have been treated violently within their families. They also have higher frequencies of sexual victimization and higher rates of sexual offenses against peers. Confirming this link between animal abuse and negative outcomes for children are studies which have found that animal abuse frequently occurs in the histories of psychiatrically hospitalized children (17–43%). In another study, which compared children and adolescents who had been referred to mental health services to those who had not been referred, those not referred

had a relatively low rate of animal cruelty (0–13%) in comparison to the referred sample (7–34%) (Ascione, 2001).

There is little doubt that a close connection exists between animal abuse and children's maldevelopment, as found in "The Pittsburgh Study," an ongoing longitudinal study of the causes and correlates of antisocial behavior. Begun in 1987, the study has found that cruelty to people and animals is one of four factors associated with the persistence of aggressive and criminal behavior. Another important finding is that the development of disruptive and delinquent behavior takes place in a progressive fashion (Kelley, Loeber, Keenan, & DeLamarte, 1997), which emphasizes the importance of early identification of family violence and effective interventions.

One of the first symptoms of conduct disorder often is cruelty to animals. In a meta-analytic review of the symptoms of conduct disorder, cruelty to animals was considered to be one of the earliest reported symptoms, at 6.75 years of age (Frick et al., 1993). In addition, children who are cruel to animals exhibit more severe conduct disorder problems than other children (Luk, Staiger, Wong, & Mathai, 1999).

Confessions of a Loner

During a discussion at a professional training for psychologists, one participant recalled that when he was 11 years old he belonged to a group of neighborhood boys who enjoyed hanging out together. However, one boy never joined the group, even though invited—he seemed to be a "loner" by choice. One day, the loner approached the 11-year-old and, after swearing him to secrecy, confessed that he strangled cats. The psychologist relating this story reported how conflicted he was about what to do. Eventually, he decided to guard his family cats with a BB gun. Soon after he heard the confession, another member of the group called him aside and reported that the same boy also had confessed to him about killing cats. The two boys, torn between their desire to protect animals they knew were endangered and their vow of silence, enlarged the "protection" zone and patrolled the neighborhood, trying to keep the cats safe. Approximately 40 years later, while organizing his high school reunion, the psychologist recalled how he had made many attempts, all ending in failure, to contact the loner. During that time, he received a call from an individual who identified himself as an FBI agent, who told him, "This person is a serial killer and we believe he is moving between the U.S. and Canada. If you have any information on him, let us know."

Paying attention to the situation of animals in families and the community may provide one of the first opportunities to redirect the trajectory of a child's development. Instead of a child and family becoming more and more embedded in negative behavior, early detection offers the possibility that the child and family can be helped to learn skills with which they can redirect their lives in a more positive direction.

As reported in *Issues and Strategies for Assessment Approaches to Child Maltreatment*, "The public child protection system was designed to respond to situations where caretakers have placed a child at risk of harm. The system depends on identification of incidents resulting in harm or risk of harm as its starting point" (Morton, 2000, p. 1). A starting point, therefore, could very well be to take into account the quality of the "common bond" between children and animals. This awareness offers more tools and resources to *all* professionals concerned about the welfare of children and animals.



Chapter 2

Ask Questions About Care and Treatment of Animals

In the past 20 years, growing documentation from the fields of juvenile justice, domestic violence, child abuse prevention, and the social sciences indicates that cruelty to animals is both a predictor crime and an indicator crime. As a predictor crime, animal cruelty can be the earliest warning signal of a child or family at risk. If detected early enough, not only may the animal be spared, but the children and family can be offered appropriate interventions. Animal cruelty is also an indicator crime, since it often co-occurs with other types of interpersonal violence and other crimes. Paying attention to animal cruelty can save lives and deter criminal activity (Lockwood, 2006).

Information about animal cruelty in families can be used to promote the child protection goals—and achieve the outcomes—of safety, permanency, and well-being. Recognizing the importance of including questions about the care and treatment of animals, and how it relates to those child protection goals, the American Prosecutors Research Institute (APRI) and the CornerHouse training manual and course for students of “Finding Words: Interviewing Children and Preparing for Court” states that inquiring about the care and treatment of animals could be useful when conducting a child forensic interview (Walters, Holmes, Bauer, & Vieth, 2003). In addition, in 2005, an article by Allie Phillips in *The Prosecutor* (2004) on the dynamics between animal abuse, child abuse, and domestic violence was referenced in that training manual.

To acquire that potentially useful information, however, all personnel who work with children and their families must ask questions about animals. Just

as counselors have needed to learn of the importance of inquiring about substance abuse, sexual histories, and family violence, they also need to be alert to the possibility of animal abuse in families. Like many behaviors, unless questions are asked about them, the information is not offered. Following are some practical guidelines on how to ask questions about animal cruelty.

Guideline 1

Add animal treatment-related questions to existing screening, intake, investigation, and risk and safety assessment procedures.

Child protection and child welfare agencies may use any one or combination of assessments. Typically, these assessments fall into the following models, or types: problem identification, family assessment, cause-related assessment, and needs assessment (Holder, 2000). No matter which model or combination of models is used, one of the most important features of an assessment is that it is a process, not a product. This approach also applies when animal-related questions are included in the assessment.

The process of assessing, as outlined by Costello (2000), involves various steps, all of which are part of the information-gathering process. Of the steps outlined by Costello, these three could incorporate questions or observations about animal-related experiences without adding any undue burden to child welfare caseworkers or others: (a) selecting dimensions, (b) observation in the natural environment, and (c) other professional evaluations.

Selecting dimensions. Selecting dimensions, i.e., deciding which problem areas will be selected, is an initial and significant task of data collection. While too much data can be counterproductive, identifying key risk factors and safety threats is critical.

The following are important ways in which adding questions about the treatment of animals in the family can help advance child protection goals:

1. By identifying animal abuse, the safety and well-being of children and their families may receive earlier attention. Very convincing research has established that child abuse often occurs with other forms of family violence (Renner & Slack, 2004; DeViney et al., 1983).
2. Asking questions about animals in the family can lead to earlier identification and enhanced safety for children and families. The results of years of carefully conducted research in the fields of criminal justice and mental health clearly conclude that early childhood animal abuse is a significant factor for identifying children at risk—either children

who have been exposed to or have participated in aggressive and violent behavior.

3. Asking questions about a child's experiences with animals can spark a more open dialogue. Many clinicians have observed that children may feel freer to talk, and less anxious about doing so, when the subject involves animals. A crucial step for every child protective services worker—developing a bond with the family members and earning their trust—can be facilitated by asking questions about animals in the family or in the child's life.

When used during screening, assessment, or investigation, the following questions can provide pertinent information about the child and the child's experiences:

- Have you or your family ever had any pets? What happened to them?
- Do you have a pet or pets now? Tell me about them. What are their names?
- Have you ever lost a pet you really cared about? What happened?
- Has your pet ever been hurt?
- Have you ever felt afraid for your pet or worried about bad things happening to your pet?
- Has anybody ever tried to make you do something you didn't want to do by threatening to hurt your pet? What happened?
- Have you ever seen someone hurt an animal or pet? What happened?
- Have you ever hurt an animal or pet? What happened?
- What happens when your family pet misbehaves?
- Have you ever been punished for something your pet did, like getting into the trash? Or has your pet ever been punished for something you did, like not doing the dishes when you were told to?

Observation in the natural environment. One common method for collecting child protection information is to observe the family members in their home. If there are pets in the home, more information can be ascertained by observing the interaction of the family members with the pets.

When making a home visit, the observer can incorporate the following questions into the interview and exchange:

- Do you have any family pets or other animals in your home?

- May I see them? Or, can you bring them out?
- What can you tell me about your pets?
- Who takes care of them?
- What are their names?
- What happens when one of them does something naughty?
- Who disciplines them? How do they do that?
- Have you had other pets? What happened to them?

In addition to asking those animal-related questions, it also can be useful to observe the interactions between the family members and family pets, especially with regard to the following:

- Are there any family pets that might be classified as a breed that is associated with animal fighting or other crimes? A recent study found that ownership of a high-risk (i.e., vicious) dog can be a significant marker for general deviancy and should be an element considered when assessing risk for child endangerment (Barnes, Boat, Putnam, Dates, & Mahlman, 2006). The presence of a high-risk pet could place children and other family members in danger.
- Do the animals seem relaxed around all family members, or do they seem to avoid, or appear anxious around, one or two particular family members?
- How does the presence of the animals affect the family interactions?

Observing family members' interactions with their pets is accomplished most easily during a caseworker's home visit. However, some clinicians invite families to bring their pets with them to the office during the assessment. Many factors, of course, enter into whether this is feasible; but when possible, adding animals to the mix during family assessments can yield insights.

Other professional evaluations. Depending on what is uncovered in the information-gathering process, the use of other evaluation tools and instruments can facilitate the process, as well as help the assessor understand the depth and severity of the problem.

In addition to including animal-related questions in the intake, initial assessment, investigation, and family assessment, it also may be beneficial to integrate those concerns into case planning and management, treatment, and the evaluation of family progress.

Case planning and management. When establishing goals or planning the types of intervention or services needed to achieve those goals, if animal abuse or threatened animal abuse was a key component of the family dynamic, then it is important to become familiar with the available resources in the community. For example, some counselors are trained to work with children and adolescents who abuse animals, and some humane societies have pet therapy programs designed to work with at-risk children and their families. Check with your local humane societies to determine if they can provide such a resource for your purposes. For a list of counselors who have been trained to work with the issue of animal cruelty, please contact the Society & Animals Forum at www.societyandanimalsforum.org. For information on programs for at-risk children, you can download a copy of The Humane Society of the United States publication *Violence Prevention and Intervention: A Directory of Animal-Related Programs* at http://files.hsus.org/web-files/PDF/First_Strike_Directory_2004.pdf.

Treatment and the evaluation of family progress. Child maltreatment is complex and multidimensional and often occurs in the context of a dysfunctional family; often one of the symptoms of the family's dysfunction is the abuse of animals in the home. Animal abuse in families, however, is more than a symptom—it also represents an important interaction within which power and control, developing secure or insecure attachments, and handling loss and separation are manifested. Therefore, the treatment of the child and family may not only address the animal-related experiences; the family members' relationship with their animal companions, and how they treat them, could also be an important factor in evaluating the family's progress, including using family decision making about animal care and treatment.

Learning to Care

One clinician involves the entire family when working with children who have abused family pets. First, he determines if the parents can function effectively enough to ensure the pet's safety. Once that has been established, he explains to the parents that it is not only important in ethical terms, but that ensuring the animal's safety is important to the child's recovery: The child needs to see his parents acting in that parental capacity. This clinician has found that families can learn about care through the process of coming together to care for, and perhaps rehabilitate, a family pet.

Guideline 2

Ask questions about exposure to animal abuse.

It is widely accepted that being the target of neglect and violence has a harmful effect on children, as does being otherwise exposed to violence—such as witnessing a violent act. To underline this concern, a number of federal agencies, including the U.S. Department of Justice, the U.S. Department of Health and Human Services, and the U.S. Department of Education, have funded pilot studies and research and have disseminated information to increase public and professional awareness of the effect of violence on children. These federally directed activities are designed to increase the capacity of individuals and communities to reduce the incidence and impact of violence.

There is no doubt that witnessing violence—in the home, at school, and in the community—harms children. However, a child’s exposure to violence in the form of animal abuse may be overlooked. Unless child protection professionals address animal care and treatment in the home, they may miss opportunities to intervene earlier, and more effectively, to protect children, animals, and other family members.

When asking questions about the care and treatment of animals in the home and community, if the child either witnessed or was threatened with animal abuse, the interviewer should obtain the following details about the incident(s):

- What is the relationship of the child to the abuser?
- What is the relationship of the child to the animal?
- What happened to the abused animal?
- How many times did it occur?
- What was the child’s response, as well as the response of the perpetrators and other witnesses?
- Ask the child: “What was the hardest thing for you about what happened?” or “What bothers you the most about what happened?”
- Determine the child’s role in witnessing animal cruelty. Was she or he passive, encouraging, or coerced? Ask the child: “How do you feel about being involved in what happened?”
- What was the child’s immediate and long-term response to being a witness?
- Does the child exhibit symptoms of anxiety, trauma, or depression?
- Does the child feel shame, remorse, or guilt?

- Is the child fearful of reprisal?
- Did the child report the abuse to anyone?
- What was the response of the person to whom the child reported the abuse?

Guideline 3

Integrate information on the common bond between children and animals into the education and training programs of relevant professional groups.

Local child protection agencies have the lead responsibility for investigating reports of abuse and neglect. In situations that may involve criminal charges, such as those involving serious physical abuse and sexual abuse allegations, law enforcement also will have a role. For more-effective identification and reporting, any university-based training or preservice, in-service, or continuing education training for agency personnel should include information on the link between the welfare of animals in the family and child safety and protection—in part based on the information in this publication. Child protective services agencies require or provide training to their employees, but it has generally not included a segment on animal cruelty issues.

Therefore, materials are needed both for use with children and families by professionals, as well as for the education and training of professionals in child protective services and animal care and control agencies. Materials that can be used with children and families are discussed in Guideline 1 and in the following chapter, which describes materials that can be used to offer treatment and to evaluate the progress of it.

For the education and training of human and animal services professionals, a variety of organizations provide materials on the topic of child maltreatment and animal abuse. For example, the American Humane Association and the Latham Foundation have produced journal and magazine articles, textbooks, training manuals, and videos, and can assist community groups wishing to develop and implement cross-reporting protocols. American Humane's publication "Understanding and Addressing The Link[®] Between Child Maltreatment and Animal Abuse: A Cross-systems Approach to Protecting Children and Supporting Families," an issue of the organization's journal *Protecting Children* (2004), could be useful in that regard. Additional resources from American Humane can be found at www.americanhumane.org.

In addition, The Humane Society of the United States' publication "The Violence Connection" has proved to be a useful training tool for child protective services agencies and animal control units, as well as law enforcement and mental health professionals. Contact Mary Lou Randour at mrandour@humanesociety.org to learn how to obtain copies.

Guideline 4

Understand the system of animal cruelty investigations, as well as the relevance of animal cruelty laws, as they relate to child welfare goals of child safety and well-being.

Animal cruelty investigations. Animal cruelty investigations may be conducted by a humane society or SPCA cruelty investigator, a municipal or county animal control officer, a police officer, or a sheriff's deputy. To provide quality-controlled and standardized training, the National Cruelty Investigations School (NCIS) was established at the Law Enforcement Training Institute at the University of Missouri in 1990. Below is an outline of the current curriculum offered by NCIS.

Level I Topics

- The Professional Investigator
- Search & Seizure
- Communication Skills
- Case Preparation for Court
- Written & Photographic Documentation
- Veterinarian Documentation
- Biosecurity & Zoonosis
- Practical Application

Level II Topics

- Environmental Assessments
- Commercial Animal Sales
- High Volume Breeders
- Livestock Investigations
- Animal Fighting
- Body Condition Scoring
- Officer Survival
- Search Warrants
- Civil Liability
- Juvenile Law
- Case Studies

Level III Topics

- Family Violence
- Traveling Shows
- Exotic Animal Investigations
- Clandestine Labs
- Cultural Diversity
- Ritualistic Animal Abuse
- Hoarders
- Disaster Planning
- Large Scale Impounds
- Case Studies

Level IV Topics

- BioSecurity & Zoonosis
- Body Condition Scoring
- Clandestine Labs
- Hoarders
- Digital Photography
- Search & Seizure
- Cultural Diversity
- Dog Fighting
- Ritualistic Animal Abuse
- Practical Exercises
- PPCT Collapsible Baton

Because neighbors may be concerned for animals' welfare and because animals are frequently outdoors in plain sight, animal services agencies often enter homes and make observations before child protection personnel or the police can gain access. For example, in one instance, an anonymous complaint from a neighbor uncovered a family in extreme need. After receiving the complaint that a pit bull was being kept in a filthy yard without adequate food, water, or shelter, animal control officers entered the house and found a woman, her two young children, and her double-amputee mother living in squalid conditions, with human waste and garbage throughout the home. Police officers were notified, and authorities took the children and dog into foster care, placed the grandmother with protective services, and entered the mother into a drug treatment program.

Depending on the jurisdiction and the nature of the case, either an animal control officer, police officer, or sheriff's deputy will investigate an animal cruelty incident. Professional animal cruelty investigators receive similar training as other law enforcement officers on such critical topics as the laws of search and seizure, evidence documentation, case preparation, courtroom testimony, family violence, and juvenile law; however, in most locations, animal cruelty investigators are not peace officers. Veterinarians are now also receiving training in animal cruelty forensics so they can provide expert witness testimony (Merck, 2007; Sinclair, Merck, & Lockwood, 2006; Cooper & Cooper, 2007; Leonard, 2004).

Animal cruelty laws. Every state has a law against animal cruelty. As of October 2007, 43 states, the District of Columbia, Puerto Rico, and the Virgin Islands had felony-level penalties for certain acts of animal cruelty. Twenty-nine of those felony-level provisions were enacted since 1996. Another indicator that the commission of animal cruelty crimes has implications for family welfare and community safety is the inclusion of counseling provisions in the sentencing. Currently, 28 states provide that the court may, or shall, order counseling for juveniles and/or adults convicted of animal cruelty.

Although every state has an animal cruelty law, features of the statutes vary widely. Child protection officials are strongly urged to invite animal cruelty enforcement officers from their local humane society, SPCA, or police or sheriff's department to explain their jurisdiction's law and procedures. An excellent resource is *Animal Protection Laws of the United States of America*, published by the Animal Legal Defense Fund on CD-ROM. This 2,100-page compendium contains a detailed survey of the animal protection and related statutes for every state and the District of Columbia, and a current version of each law, with searchable content.

States also vary in how they define which agency personnel have the authority to investigate animal cruelty and which have the authority to make arrests. For example, in California, “No humane officer shall serve a warrant without providing prior notice to local law enforcement agencies operating within that jurisdiction” (Cal. Corp. Code §145-2[1]). However, in Connecticut, agents of the Connecticut Humane Society may be appointed by the Commissioner of Public Safety to serve as special police officers with the powers of constables and police officers to detain any person violating any provision of the statutes concerning cruelty to animals (Conn. Gen. Stat. §29-108b).

In addition to how they assign the authority to investigate cruelty and to make arrests, states vary on the qualifications, powers, training, use of badges, certification, and use of firearms by their humane officers, animal control officers, and other investigators. For a complete list of State Anti-Cruelty Investigatory/Arrest Powers, compiled by the American Society for the Prevention of Cruelty to Animals, go to www.aspca.org and type the search term, “State Anti-Cruelty Investigatory Arrest Powers” to download a PDF file.

For a discussion of how animal cruelty and child protection laws can be used to strengthen protections for both groups, see Chapter 4, “Adapt Law and Policy to Include Consideration of the Common Bond.”

REMEMBER: Child protection personnel are not expected to be authorities on the intricacies of cruelty-to-animals laws or enforcement procedures. They should, however, be routinely encouraged to: (a) assess whether an appropriate animal protection agency or police agency in their community should be notified of relevant cases, (b) engage in a dialogue and open lines of communication with other relevant agencies to deal with cases that involve both children and animals, and (c) initiate and maintain cross-training programs for staff. By doing so, child protection personnel will gain valuable resources for meeting their objectives of strengthening families and ensuring their safety.



Chapter 3

Employ Animal-Focused Interventions for Child Victims, Children Who Abuse, and At-Risk Children

The premise of *A Common Bond* rests on the fundamental reality that animals play a vital role in family and community life. The treatment of animals does not parallel the treatment of children in families as much as it reveals the texture and movement of family life and the relationships of the family members (including animals in the home) to one another. Those responsible for intervention and prevention activities conducted with families need to remember that animals are members of the family and should not be overlooked.

The proposal that animals be considered in the overall framework of child maltreatment and child abuse prevention need not place an additional burden on the already overtaxed child welfare system. Existing programs and materials can be incorporated into existing services and programs. Chapter 2 stresses the importance of asking questions about the care and treatment of animals, and Chapter 4 analyzes the law and policy as it relates to this important connection, and makes specific and practical recommendations for change.

This chapter addresses how to incorporate the existing knowledge about the human-animal bond—what it means and what happens when it is broken—into child abuse prevention, intervention, and treatment activities. The first guideline in this chapter points to existing information on treatment approaches for individual children and families. The second and third guidelines urge the use of these treatment approaches to help prevent violence, whether directed at children or animals.

Guideline 5

Use or adapt available instruments and subscales to identify animal maltreatment in and outside of the home when conducting child protection investigations and assessments.

Duncan and Miller (2002) noted that there are few assessment measures for childhood cruelty to animals. Existing instruments that focus exclusively on animal-related experiences include the following:

- AniCare Child: An Assessment and Treatment Approach for Childhood Animal Abuse (Randour, Krinsk, & Wolf, 2001)
- Boat Inventory on Animal-Related Experiences, developed by Barbara Boat, Child Trauma Center, University of Cincinnati (Boat, 1999)
- Children and Animals Assessment Instrument (CAAI) (Ascione, 1993; Ascione, Thompson, & Black, 1997)
- Children's Attitudes and Behaviors Towards Animals (CABTA) (Guymer, Mellor, Luk, & Pearse, 2001)
- P.E.T. Scale for the Measurement of Physical and Emotional Tormenting Against Animals (Baldry, 2004)
- Clinical Assessment of Juvenile Animal Cruelty (Zimmerman & Lewchanin, 2000)

AniCare Child: An Assessment and Treatment Approach for Childhood

Animal Abuse is a handbook that, although written primarily for assessing and treating children who have perpetrated or witnessed animal abuse, emphasizes that all children and families should be asked questions about animal-related experiences. Four basic steps are detailed:

1. Ask about a child's relationship with animals.
2. Obtain data from multiple sources.
3. If the child perpetrated animal cruelty, conduct a comprehensive assessment of the extent, nature, context, and motivation for the animal cruelty.
4. If the child witnessed animal cruelty, assess the effects.

The handbook offers guidance on questions to ask when making an assessment, and it identifies factors to consider in the assessment of juvenile animal cruelty, which help the assessor weigh the seriousness of the abuse and decide what level of intervention to recommend. Finally, it emphasizes the importance of being sensitive to the possibility that a child has witnessed

animal abuse. Sometimes the abuse witnessed by a child is a part of domestic violence—animal abuse also can be used by a parent or older sibling to threaten or intimidate a child. At this time, there is no reliability or validity data on the AniCare questionnaire, however, an evaluation is under way (Randour et al., 2001).

The Boat Inventory on Animal-Related Experiences is a semi-structured inventory addressing children's experiences with and attitudes toward animals, e.g., attachment to animals, loss and how it was handled, support received from animal companions, and abuse witnessed or conducted. It provides in-depth information about a child's relationship with an animal; however, it does not have reliability or validity data, and taken as a whole, it may be too long to conduct during initial screenings. However, as noted, it is quite useful in a clinical setting and has been used for trauma indicators of hospitalized adolescents (Haden & Scarpa, 2005).

The CAAL, one of the first instruments developed to measure animal maltreatment, is a semistructured interview for children and their parents. It assesses several dimensions of cruelty to animals, such as severity, frequency, duration, and empathy. It requires extensive time to administer and to code answers; as a consequence, its use is limited to research and clinical applications (Guymier et al., 2001).

CABTA, consisting of 24 questions, is divided into three sections: questions of general demographic information; questions related to the child's attitudes and behaviors toward animals; and questions related specifically to cruelty to animals. Although the instrument demonstrated sound reliability as well as construct validity, there was a low rate of return of the questionnaire. Additionally, CABTA is designed for parents, and parents appear to underreport their children's animal cruelty behavior. For example, in one study only 2% to 4% of mothers reported children's cruelty toward animals, yet their children self-reported at a rate of 10% (Offord, Boyle, & Racine, 1991).

The P.E.T. Scale for the Measurement of Physical and Emotional Tormenting Against Animals is a promising new instrument, particularly because of the ease of administration, the use of self-reporting rather than parental reporting, and its recognition of the possibility of both physical and emotional abuse of an animal. The nine-item scale measures indirect as well as direct animal abuse and, as noted, emotional abuse, e.g., tormenting animals (Baldry, 2004). Baldry has noted that P.E.T. still requires further validation studies. However, the preliminary findings of its reliability and its ease of use make P.E.T. a useful instrument for screening and assessment.

Clinical Assessment of Juvenile Animal Cruelty provides a comprehensive child and family interview form and other useful tools. For example, the handbook includes checklists that help determine the presence of resiliency factors in children, as well as their readiness for change. Most useful, perhaps, is the Screening and Referral Tool, which categorizes the abuse into three categories (mild, moderate, and severe) and recommends types of intervention for each (e.g., reinforce and support parents in limit-setting, parental counseling, and police involvement) (Zimmerman & Lewchanin, 2000).

Guideline 6

Use appropriate treatment approaches for children who abuse animals or who have witnessed animal abuse.

Until recently, many clinicians viewed animal abuse more as a symptom than a behavior to be treated directly. Cruelty to animals was not added to the list of indicators for a diagnosis of conduct disorder in the *Diagnostic and Statistical Manual of Mental Disorders* until 1987 (DSM-III-R). However, in the past 10 years or so, authoritative research findings that point out the link between animal abuse and human violence have been more widely disseminated to professional audiences and the public.

One result of this knowledge is that at least 28 states now have provisions in their animal anti-cruelty laws that either recommend or mandate counseling for youthful offenders. Despite this recognition by the state legislatures of the need for counseling programs, at this time there is only one published treatment program for children who either perpetrate or witness animal abuse, *AniCare Child* (Randour et al., 2001). Developed by the Animals and Society Institute, *AniCare Child* offers practical assessment and treatment strategies for counselors and others working with at-risk children and children identified as engaging in animal cruelty. It focuses on two goals of treatment—the development of self-management skills and the development of empathy—by providing exercises, projective materials, and clinical case examples. In addition to its use with identified and at-risk children, the *AniCare Child* approach encourages all professionals working with children and families to make assessments of a child's and family's relationship to animals a routine part of any formal or informal evaluation, just as questions of substance abuse and family violence are routinely included in screenings of children and families. (For more information about *AniCare Child*, contact the Society & Animals Forum at www.societyandanimalsforum.org.)

The essential factors to include in the treatment of childhood animal cruelty, whether committed or witnessed, are:

- Directly address the behavior of animal cruelty.
- Treat any animal in the family as part of the family when assessing, treating, or evaluating progress.
- Explore the relationships between any animals in the home and each family member.
- Incorporate the affected animals, or a therapy animal, when possible, in the treatment.
- Use representations of animals, especially as they interact with people—tapes, photographs, stuffed animals, figures, etc.—in the assessment and treatment phase.
- Include an educational or developmental component, when relevant. For example, many children and other family members may need basic information on the proper care of animals and on animals' capacity to respond, to feel physical and psychological pain, and to learn.

REMEMBER: Counselors do not need to learn new therapeutic methods or techniques to address animal maltreatment. All types of theoretical and clinical methods (e.g., cognitive-behavioral, psychodynamic, family systems) may be used. The key is to enlarge the focus, not change a method.

Using Animals in Treatment

Using animals as a focus of the intervention can be a potent tool for treatment. One therapist described how, in working with a severely abused adolescent girl from a violent family, the girl's concern for her animals' welfare became a focus of the intervention. The girl's dog and two cats were an important source of support, but they could not accompany her to foster care. The therapist explored the girl's feelings about the animals and helped her devise ways in which she might protect them. For example, the local SPCA was called in, determined that the dog was neglected, and relocated the dog to a safer environment. Safeguarding her animals gave the girl something she had been denied—protection and care. This not only reduced her anxiety, but empowered her and preserved her capacity for forming attachments.

Guideline 7**Use animal-assisted therapies in child abuse and neglect prevention and intervention activities.**

Using animals as assistants in therapeutic activities has gained attention in recent years, giving rise to a new field, with recognized standards, research, and professional development. Typically, animals can act as therapeutic agents in two ways: either in animal-assisted activities (AAA) or in the more formal settings of animal-assisted therapy (AAT) (Fine, 2006).

AAA are a way to provide happiness and relief to others through sharing one's companion animal. AAA involve a human volunteer and his or her companion animal—typically, but not always, a dog. The pair completes a training program to prepare for making periodic visits to people in a variety of settings—child advocacy centers to help children testify in court, nursing homes, schools for physically and emotionally challenged children, programs for children of domestic violence victims, psychiatric facilities, and others (Justice, 2007).

AAA are a novel and effective approach, engaging pets to support children through the forensic interviewing process, testifying, and other court-related procedures. The title of an article appearing in the *ABA Journal* says it all: “At This Prosecutor’s Office, A Furry Soft Spot for Kids” (Davis, 2007). This personal account of one prosecutor’s experience describes the benefits of a pet’s presence for children going through a legal process.

AAT is similar to AAA, but it implies a greater level of involvement and skill. Rather than periodic visits, the visits are planned on a schedule tied to specific goals. The goals for the intervention are developed by an occupational therapist, physical therapist, physician, social worker, or other health care professional, and the therapy is then evaluated against those goals for effectiveness.

Through AAT, animals provide therapeutic value to abused and neglected children, such as those at the Casa Pacifica Center in Camarillo, California, where Archie, a very calm 165-pound Newfoundland offers a reassuring, non-threatening presence to them (Engel, 2007). Similar programs are offered elsewhere, such as the Midland Rape Crisis and Children’s Advocacy Center in Midland, Texas, and The Hands-in-Paw program in Birmingham, Alabama, where AAT programs assist children who have been victims of abuse (Phillips, 2004).

In addition to institutional settings like those, AAT takes place in private consulting rooms, public and nonprofit agencies, and other individual, small group settings. A growing number of therapists in private practice use their companion animals as therapy assistants. Animals help promote a feeling

of safety, reduce anxiety, and produce comfort for the person receiving the therapy. AAT also offers another opportunity for the therapist to observe the patient interacting with another (the animal) and for the patient to experience, and learn, new and more-positive patterns of behavior (Arkow, 2004).

Because of the variety of settings and patients, AAT may involve animals other than dogs. For example, cats, horses, birds, guinea pigs and other small mammals, and fish also have acted successfully as therapeutic agents.

Both AAT and AAA can be used for prevention as well as for intervention. For example, in 1993, the Wisconsin Humane Society launched its People & Animals Learning (PAL) program, now a nationally recognized violence prevention program that helps at-risk youth from the Milwaukee area, who are nominated to participate by their teachers and social workers. Under the supervision of a professional dog trainer, each youth works on a team to train a shelter dog to become a well-mannered companion for an adopting family. Participants also learn to care for injured birds and other wild animals (De Grave, 1999).

Many intervention programs for youth are residential-based. In Albuquerque, New Mexico, the Youth Diagnostic and Development Center's Project Second Chance partners with the Animal Humane Association of New Mexico to pair shelter dogs with incarcerated youth. Similarly, Project Pooch at the MacLaren Youth Correctional Facility in Woodburn, Oregon, pairs incarcerated young men with shelter dogs in need of a permanent home. Originally, the dogs came from local animal shelters for training and then were returned to the shelters for adoption. The success of the program, however, led to a new approach: Project Pooch adopts the dogs and assumes responsibility for their placement. In addition to the shelter dogs, other dogs are "enrolled" by their human companions for training. While some youth choose not to participate in the program after their dog is adopted—they do not want to experience the separation again—others become veteran Project Pooch trainers.

Yet another example is Teaching Love and Compassion (TLC), sponsored by the Los Angeles Society for the Prevention of Cruelty to Animals (spcaLA), a volunteer workshop for at-risk youth, ages 11 to 13. TLC programs are offered four times a year, either during the 3-week school intersession break or as a 4-week after-school program. Teams consisting of one boy, one girl, and one dog are formed, and the youth learn to interact with one another while learning how to train dogs in a positive, supportive manner. As a result, the dogs become more adoptable. To help ease the pain of separating from the dogs, students play an active role in the adoption process. Some adopters write letters, send photos, or visit the shelter, sharing information about the dogs with the TLC graduates.

For more examples of programs like these, go to http://files.hsus.org/web-files/PDF/First_Strike_Directory_2004.pdf or see the Latham Foundation's training manual and video, *Breaking the Cycles of Violence* (Arkow, 2003). For a directory of AAT programs, go to www.activitytherapy.com/national.htm.

The success of these programs suggests that child protective services and child welfare agencies should, in appropriate cases, encourage caseworkers and other staff involved in agency-related interventions with maltreated children to consider using AAA/AAT with their clients. In choosing an organization with which to partner for these activities, it is important to seek a recognized therapy organization that adheres to a high standard of practice. For example, the Delta Society is a 30-year-old international organization that conducts training courses for the handler, assesses the animal/handler team for the skills and aptitude to perform AAA/AAT, and requires re-registration of the team every 2 years. Once a facility pays a nominal cost to register with the Delta Society (currently \$150 for 2 years), there is no additional cost for the services of the registered animal/handler team(s) to visit the facility. The registration fee paid by the handler includes liability insurance coverage for the animal/handler team.

If agency staff members would like to use their personal companion animals during their interactions with child clients, they should go through a certification process with a registered AAA/AAT organization so they and their animals receive the proper training to ensure high standards of practice and therefore mitigate risk. The agency may want to consider sharing the costs involved in having staff members and their pets trained and certified as animal/handler teams and addressing the issue of liability/insurance for the teams. Generally, when a person on a registered animal/handler team provides AAA/AAT in his/her own professional setting (e.g., a caseworker or other agency staff), and not as a volunteer, the liability insurance provided through the AAA/AAT organization does not cover that situation.

As with partnering with an AAA/AAT organization, the child-animal interaction that may ensue from a child client's exposure to a caseworker's therapy animal might help the child open up more in terms of communicating factual information and strengthening the caseworker-child client bond.



Chapter 4

Adapt Law and Policy to Include Consideration of the Common Bond

Until about 10 years ago, it would have been unusual for advocates in the child welfare system to coordinate information and services with other systems designed to protect specific populations (for example, adult protective services). However, in the 1990s, attention began to focus on links between adult domestic violence and child maltreatment—in terms of incidence, correlation, service delivery, and interventions. In addition, more information has since been written about the link between child abuse/neglect and substance abuse. But, until relatively recently, the link between animal abuse and child maltreatment largely remained hidden to the legal system because:

- Few cross-reporting or other formal communication mechanisms between animal and child protection authorities existed.
- Laws did not explicitly recognize parental cruelty toward a child’s pet as “emotional maltreatment” or otherwise relevant as a child protection issue, and neither legislatures nor appellate courts had created sufficient law or legal precedents concerning this issue.
- Legal and judicial system professionals mostly remained unaware of the “link” and, because of this lack of information, in relevant cases, did not ask about animal cruelty in the homes of maltreated children.
- The Child Abuse Prevention and Treatment Act (P.L. 93-247), which established a national office on child abuse and neglect within the U.S. Department of Health and Human Services as the focal point for federal efforts to address the problem of child maltreatment, did not address the important connection between animal maltreatment and child abuse and neglect.

As awareness of the link between child maltreatment and animal cruelty builds, the concept of “cross-reporting” has emerged as an important possibility to be considered by legislatures and state and local agencies. Cross-reporting, as defined here, is a practice that links professionals who investigate child maltreatment with those who investigate animal maltreatment. Laws can encourage animal welfare professionals to report suspicions of child maltreatment, and vice versa. The importance of cross-reporting has been illustrated by court decisions that began to increasingly note animal cruelty as relevant evidence in state child protective and custodial decision making.

Some states now mandate that animal control or humane society officers report suspicious or known child abuse and neglect. California, Colorado, Indiana, Maine, Ohio, and West Virginia include animal control officers among the “professionals required to report” suspected cases of child abuse and neglect. And 18 states and Puerto Rico mandate reporting of child abuse and neglect by “all citizens” who suspect abuse or neglect, regardless of profession. Hypothetically, animal control officers, humane society officers, and veterinarians would fall within the scope of mandated reporters in those states. The federal government’s directory of state child abuse reporting mandates is available online from the Child Welfare Information Gateway at www.childwelfare.gov/systemwide/laws_policies/statutes/mandaall.pdf.

In January 2003, California passed legislation stating that employees of county child and adult protective services agencies “may report known or suspected animal cruelty, abuse, or neglect to the entity or entities that investigate reports of animal cruelty, abuse, and neglect in that county.” And several other states—Louisiana, Maine, Nebraska, Oregon, and Tennessee—have reporting laws with language that would permit child protective services agencies to report suspected animal abuse or neglect.

For example, the reporting of neglect or abuse of animals in Louisiana covers “any state or local law enforcement officer; or any employee of government or of a government contractor who in his professional capacity routinely investigates alleged abuse or neglect” (La. R.S. 14:403.6). In Nebraska, “Any employee, while acting in his or her professional capacity or within the scope of his or her employment, who observes or is involved in an incident which leads the employee to reasonably suspect that an animal has been abandoned, cruelly neglected, or cruelly mistreated shall report” (Nebraska R.R.S. Neb. §28-1017). Tennessee requires “any state, county, or municipal employee of a child or adult protective service agency acting in a professional capacity or within the scope of employment who has knowledge of or observes an animal

that the person knows or reasonably suspects has been the victim of cruelty, abuse, or neglect to report the situation to the appropriate entity of that county” (Tennessee Code 38-1-402).

Guideline 8

Reporting and cross-reporting procedures, and collaborative training between child protective services and animal services agency personnel, should be specified in law.

Enacting legislation that mandates or permits the cross-reporting of child abuse and neglect, elder abuse and neglect, and animal abuse and neglect is the most direct way to broaden protection for families and the children and animals who live in them. It is particularly important to have veterinarians as well as humane officers and animal control officers added to the state list of mandated reporters of child abuse and neglect. The law should also authorize animal protection personnel who are concerned about a child’s safety to contact a law enforcement agency for the purpose of immediate child protective actions (e.g., removal from the home of abusers) when necessary. Both child protective services professionals and animal care and control officers should receive training on how to recognize and respond to animal abuse and child abuse, respectively.

Short of mandating this expanded reporting, statutes could be constructed that authorize permissive reporting (“may report”) and offer protection from civil and criminal liability to those who report in good faith.

Guideline 9

Where no cross-reporting procedures are specified in law, child protective services workers, child welfare agencies, juvenile courts, and animal services agencies should collaborate and share information and resources whenever possible.

Cross-reporting of child maltreatment case information between child protective services agencies and law enforcement agencies has been commonly accepted, practiced, and, in some states, mandated for many years. What gave rise to this was the fact that severe child maltreatment is a crime as well as a social services issue, and thus not within the sole province of either child protection or police agencies.

Although it may be ideal to have laws that mandate or authorize cross-reporting and training of professionals on the topic of both child and animal

maltreatment, they are not necessary for collaboration to occur among the agencies that address child and animal cruelty. For example, at times the arrangements between a local child protection agency and an animal services agency can be informal, built on the professional relationships between the agencies' staff. Other times, formal policies may be adopted by child protective services and animal services agencies to share information and resources. For example, in Wellington County, Ontario, Canada, the Family and Children's Services (FCS) investigators and Humane Society investigators completed checklists to examine connections between forms of violence. FCS workers found that, in the 1,485 homes surveyed which contained animal companions, there was cause for concern about the welfare of the animals in 20% of them. Similarly, Humane Society workers completed 247 checklists, resulting in 10 referrals to FCS (Zilney & Zilney, 2005).

Basically, there are three ways in which cross-reporting, training, and sharing information and resources can be encouraged: through legal statutes, agency policy, and formal (multidisciplinary teams) and informal professional networking. Juvenile and family courts also need supportive mechanisms to address both child maltreatment and animal cruelty when they arise in the same case (much as they should be equipped to address cases involving both child maltreatment and domestic violence in a child's home). Adding animal protection personnel to local child protective services advisory boards would be another important step to take so that the appropriate authorities are in the position to support this important exchange of information.

Guideline 10

The laws, policies, and professional norms surrounding the issue of confidentiality should be thoroughly studied with the goal of finding ways to encourage collaborative interagency interactions when reporting and investigating child and animal abuse and neglect.

The protection of confidentiality is seen as a core ethical principle by many professional groups operating in various contexts. Child protective services workers may hesitate to report animal cruelty for fear of violating a family's trust, breaching confidentiality, and perhaps threatening the stability of the working relationship with their clients. Similarly, psychologists, social workers, marriage and family counselors, and others working in private and public settings emphasize the need for confidentiality.

Interestingly, although the concept of confidentiality is a core principle for most professional groups, there has been little empirical study of how mandated

reporting of otherwise confidential information affects the therapist-client relationship. Where such studies have been conducted (Watson & Levine, 1989; Weinstein, 1997; Harper & Irvin, 1986), the findings concur that "...the therapeutic relationship can survive and occasionally benefit from a therapist's confrontation and reporting of abusive behavior of a client, despite the breach of confidentiality the report necessitates" (Watson & Levine, 1989, p. 246).

Confidentiality laws, however, vary by state and typically include various exceptions. The one common exemption to confidentiality arises when the client seems to be a danger to himself or herself or to others (Tarasoff v. Regents of University of California, 1976). For example, the Ethical Principles of the American Psychological Association allow for disclosure of confidential information without client consent for the purpose of protecting the client or others from harm. In California, the laws governing the practice of psychology grant an exception to confidentiality "if the psychotherapist has reasonable cause to believe that the patient is in such mental or emotional condition as to be dangerous to himself or to the person or property of another and that disclosure of the communication is necessary to prevent the threatened danger."

In those examples, the inclusion of the term "other" or "property" in the exception would seem to include animals, since, at times, animals in the family or community may be threatened. Local courts and legal authorities are encouraged to explore this interpretation and determine the appropriateness and feasibility of incorporating it into practice.

Veterinary medicine has addressed a similar concern about confidentiality with a solution that may be applicable to other professions. The American Veterinary Medical Association's (AVMA) Principles of Veterinary Medical Ethics explicitly state that, while veterinarians and their associates should protect the personal privacy of patients and clients, they "should report illegal practices and activities to the proper authorities" and "should not reveal confidences unless required to by law or unless it becomes necessary to protect the health and welfare of other individuals or animals." AVMA's Animal Welfare Position Statements note that "disclosure may be necessary to protect the health and welfare of animals and people." In Great Britain, the Royal College of Veterinary Surgeons' Guide to Professional Conduct states, "The public interest in protecting an animal overrides the professional obligation to maintain client confidentiality" (Arkow & Munro, in press).

While recognizing the principle of confidentiality, it also is important to realize that how one addresses information sharing in situations of suspected abuse

can be complicated, requiring professional judgment, legal advice, and policy flexibility. More empirical evidence about the effects of mandated reporting (particularly related to reporting of suspected animal cruelty in a child's home) is needed to establish a better sense of how, and if, such reporting affects relationships with clients.

Guideline 11

Laws should recognize the evidentiary importance of facts related to animal cruelty at trial and at disposition/sentencing in child maltreatment cases.

Although judges at certain points in proceedings can consider accusations and proof of past or present conduct, state law should explicitly indicate that evidence of past or current animal cruelty in a child's home is relevant to considerations in adjudication and disposition in child maltreatment cases. Even if state law does not specifically address this, courts may take animal cruelty into account at adjudication and/or disposition in various ways. Examples of this inclusion are:

1. In a criminal prosecution for child abuse, a presentence report can contain: allegations; arrests still pending with no conviction; arrests with a dismissal, not an acquittal; or convictions of animal cruelty for consideration in sentencing. The defendant may object to that information, but judges can allow it to remain in the report due to the lower standards for admission of evidence at sentencing.
2. In a civil child maltreatment case in family court, the judge's disposition report from child protective services may contain new incidents (criminal behavior or incidents of poor parenting) that are still under investigation and/or pending, and the judge is permitted to take that information into account. In Michigan, for example, animal cruelty incidents are not explicitly stated in any statute for purposes of sentencing/disposition, but judges are allowed to take information on allegations, investigations, arrests, and/or convictions into account.

Guideline 12

Animal cruelty, and the presence of animals in the home that may have been adjudicated as dangerous or otherwise determined to present high risks to children, should be listed in the law as factors relevant to: custody and visitation decisions (for children and animals); judicial consideration of removal of children and animals from the family home; and court-imposed conditions of current or future possession of animals.

Many states include in their laws on child custody decision making by the courts (for example, in cases of family dissolution) a set of specific factors that should be considered in making child custody decisions that are “in the best interests of the child.” Animal cruelty or threats of cruelty by a parent, or a parent’s possession of dangerous animals in the home, should be specifically listed among the elements to be included in custody and visitation considerations by judges. Judicial consideration of removal of a child from a home due to child maltreatment should also be guided by consideration of those factors. For example, in the following cases, animal cruelty was listed as a factor by a court in terminating parental rights:

- *Schambon v. Kentucky* (1991) – In this instance, an animal control officer was called by a neighbor regarding animal hoarding, neglect, and dead animals. The animal control officer discovered dead and neglected animals in the home, as well as four children living there. Child protective services was contacted, and the children were removed because of the unsanitary conditions. Subsequently, it was disclosed that the children had been sexually and physically abused. The court terminated the parents’ rights and made a finding that animal cruelty was one of several factors requiring the termination.
- *In re SGT*, 333 S.E.2d 445 (Ga. 1985) – Cruelty to the dog and the mental/physical abuse of children were linked.
- *In re PJM*, 926 S.W.2d 223 (Mo. 1996) – Animal sacrifices and neglected and abused children were involved.
- *In re AP*, 42 S.W.3d 248 (Tx. 2001) – A neglectful, unsanitary home was connected with the father killing animals in front of the child.

An increasing emphasis is being placed on the importance of safety and risk assessment in cases of alleged child abuse and neglect. Child protective services agencies are often using safety and risk assessment instruments that should be reviewed to determine whether they address, as a factor, actual or threats of

animal cruelty and the presence of dangerous animals in the home. The courts also should be explicitly empowered in any child maltreatment-related case to make orders that either remove the care and control of an animal from an abusive adult or impose restrictions on that person's possession of an animal.

Guideline 13

Criminal laws related to animal cruelty should be strengthened and should be in the penal code.

Some child-related offenses should be considered as elevated-degree crimes when the maltreatment of the child is accompanied by actual or threatened cruelty or harm to a child's pet, especially when animals are abused in the presence of the child victim. Courts should have clear authority to order appropriate evaluations and animal-care-related counseling/treatment, including participation in animal cruelty prevention or education programs, as part of sentencing in child-related criminal or juvenile court cases where animal cruelty has occurred. In child protective court proceedings, courts should have the clear authority to order animal-care-related counseling, treatment, or education as a condition in family preservation or reunification plans. (See Chapter 3 for a more detailed discussion of animal-care-related counseling and treatment approaches.)

Guideline 14

Every state animal cruelty law should contain a provision that mandates counseling for juveniles adjudicated for animal cruelty.

As noted earlier, currently 28 states either mandate or suggest counseling for juveniles adjudicated for animal cruelty. Mandating counseling for juvenile offenses involving animal cruelty provides another intervention tool for children and families at risk. However, it is imperative that these counseling provisions be thoughtfully constructed so that they will be based on the latest information from clinical research and practice. Counseling provisions in animal cruelty laws should:

- Require an evaluation and recommendation for treatment by a licensed mental health professional who has training in the assessment and treatment of animal abuse.
- Specify that counseling should be in addition to any other terms and conditions of probation.
- Require that the child's parents or caretakers participate in some aspects of the counseling.
- Provide oversight to ensure that attendance at counseling is monitored by the courts.

In addition, court-ordered counseling provisions should never specify the form of treatment, e.g., anger management, community service, or another method. Only a proper evaluation of the juvenile by a trained mental health professional can determine the most suitable treatment. In many—if not most—cases, anger management would be inappropriate and counterproductive. The commission of animal cruelty crimes typically is associated with the juvenile's reaction to having witnessed or suffered abuse or peer pressure, personal pathology, social attitudes, and in some cases, cultural differences. Anger management treatment focuses on a single behavior and does not take into account the psychological background, motivation, and consequences of acts of animal cruelty. For similar reasons, domestic violence groups largely oppose the use of anger management techniques in batterer intervention counseling programs.

Guideline 15

Information on coinciding animal cruelty should be included in the collection and analysis of federal incidence study data or annual state statistics on child abuse and neglect.

The National Child Abuse and Neglect Data System (NCANDS) maintained by the U.S. Department of Health and Human Services has long been an important way of assuring that states collect data on certain attributes and factors related to child maltreatment. In addition, several congressionally mandated National Incidence Studies on Child Abuse and Neglect have sought to provide a greater overall picture of child maltreatment in America than what is officially reported to public child protective services agencies. Neither NCANDS nor the National Incidence Studies have ever included requirements or attempts to gather information on animal cruelty in homes of abused or neglected children. For example, one of the areas of the questionnaire used by NCANDS addresses caretaker risk factors, e.g., for the primary/family caretakers, data are sought on the presence of substance abuse, mental or physical disability, emotional disturbance, domestic violence, financial strain, and inadequate housing (Randour, 2004). A question about threatened or actual pet abuse could easily be added and could provide crucial information.

Congress could require that such information be collected, either as part of overall NCANDS nationwide data collection and analysis efforts, as an element in the next National Incidence Study, or through a specially conducted pilot study in individual states or communities. Such efforts would ideally be a joint project of the U.S. Department of Justice and the Children's Bureau, U.S. Department of Health and Human Services.

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Mary Lou Randour is a psychologist and head of the Department of Human/Animal Relations: Education & Outreach for The Humane Society of the United States. In that role, she identifies legislative and policy projects—and builds coalitions to support them—on the topic of animal abuse and human violence. She was a practicing clinician for 17 years, received post-graduate training at the Cambridge Hospital at Harvard Medical School and the Washington Psychoanalytic Institute, and holds the position of adjunct assistant professor of psychiatry at the Uniformed Services University of the Health Services. Randour is the

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Howard Davidson is director of the American Bar Association (ABA) Center on Children and the Law. He has been actively involved with the legal aspects of child protection for more than 33 years and has directed the Center since it was established in 1978. The Center provides extensive training, technical assistance, consulting, and publications for lawyers, child welfare agencies, juvenile (dependency) courts, and programs that provide legal representation in those cases.

Davidson chaired the U.S. Advisory Board on Child Abuse and Neglect and is a founding board member of the National Center for Missing and Exploited Children. He has authored many legal articles, book chapters, and other materials on child maltreatment and the law, including *What Lawyers and Judges Should Know About the Link Between Child Abuse and Animal Cruelty*. In Boston in the 1970s, he created one of the country's first children's law centers. In 2006, Davidson was asked by the ABA to direct a new Commission on Youth at Risk.

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"*A Common Bond* fills a significant need in the legal and social services community by providing a comprehensive summary of how these professions can best utilize the link between animal abuse and human violence, especially in the area of child maltreatment, to address and treat the problems of abuse. I am not aware of any other publication that brings this information together in an easily accessible format for all the relevant communities to use. Its goal is to provide a comprehensive manual on how best to account for family abuse as an integrated system of abuse for the various communities that are dealing with child maltreatment and animal abuse. Thus, the book is a compilation of empirical evidence already established and its scholarship is in a 'how-to' format that is easily accessible. The book adds significantly to the current scholarship on how best to utilize the comprehensive and persuasive empirical research that is both cited and relied upon. I especially appreciate the guidelines approach, which clearly lays out objectives for the relevant communities. It is well-written in clear and direct prose and is understandable without using specialized jargon or other terminology that would deflect from its usefulness."

Joan Schaffner
Associate Professor of Law
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"*A Common Bond* addresses an issue that is beginning to receive extensive attention from the wider community as well as the legal community. Mary Lou Randour is at the top of her profession and very well-respected in social services and animal welfare circles. I believe this publication is a very important work and long overdue. This is an extremely important work as it highlights an emerging area of law and social services and shows the link between animal abuse and human violence and offers insight to the treatment of abuse. Its goal is to provide a framework to the many groups and agencies associated with child protective services and animal protection from which they can interact, and in that interaction extend important protections to children and their companion animals. Thus, it is an important 'compilation' of existing empirical evidence, and its scholarship is in a more accessible format. The publication adds significantly to the current scholarship by showing how to utilize the empirical research already released. It is organized in a very approachable way, is a great 'how-to' guide for practitioners and is clear and well-written. I would definitely recommend *A Common Bond* to the groups I am involved with, which include prosecutors, judges, assistant attorneys general, private animal law attorneys, animal welfare organizations, social workers, animal control officers, child welfare advocates, police officers, CASA volunteers, and various other organizations."

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