

Appendix II

Resource Agencies

The following agencies may be of interest to you during the course of investigating animal cruelty complaints.

Some agencies can provide you with information and possibly assist in your cruelty investigation. Based on the nature of the complaint, some agencies can bring their own charges against the abuser. In the case of the American Kennel Club, it can remove a breeder's accreditation.

American Humane Association

63 Inverness Drive West
Englewood, CO 80112
(800) 227-4645

Can provide small grants (up to \$500) for veterinary expenses incurred as a result of animal cruelty cases. Check their website at www.ahasheltercentral.org/2ndchance for more information.

American Kennel Club

Investigations and Inspections Unit
51 Madison Avenue
New York, NY 10010
(212)-696-8257

Inform the AKC about animal cruelty cases that involve dog breeders selling AKC registered dogs. The AKC can remove the breeder's accreditation. They also maintain a list of breed rescue groups throughout the country.

American Society for Prevention of Cruelty to Animals (ASPCA)

424 E. 92nd Street
New York, NY 10128
(212) 876-7700

Can provide legal guidance and training in cruelty cases; Ask for "Legal Department - General Counsel."

Animal Legal Defense Fund

1363 Lincoln Avenue
San Rafael, CA 94901
(415) 459-0885

A network of attorneys and paralegals with expertise in the prosecution of animal-related crimes.

Animal Rescue League of Boston

PO Box 265
Boston, MA 02117
Humane Law Enforcement Unit
(617) 426-9170

Can provide information and guidance in cases involving cult-related animal cruelty.

Humane Society of the United States

New England Regional Office
PO Box 619
Jacksonville, VT 05342

802-368-2790 (phone)
802-368-2756 (fax)
nero@hsus.org (email)

Can provide guidance and possible hands-on assistance with cruelty investigations in Vermont.

Law Enforcement Training Institute

University of Missouri-Columbia

321 Hearnes Center

Columbus, MO 65211

800-825-6505

In partnership with the Humane Society of the United States, operates the National Cruelty Investigator's School, Levels I, II, and III, and Bite Stick Certification at various locations around the country.

National Animal Control Association

Training Academy

PO Box 480851

Kansas City, MO 64148

800-828-6474

Membership organization that assists local animal control officers. Offers various levels of intensive training in animal care and control, enforcement, communication, and safety.

United States Department of Agriculture - APHIS

Regulatory Enforcement & Animal Care

2568-A Riva Rd., Suite 302

Annapolis, MD 21401

Dr. Clem Dussault, Veterinary Medical Officer for Vermont area

703-812-6545

Contact the USDA when you have a cruelty case involving animal breeders, animal dealers, etc. Such enterprises must be licensed by the USDA and operated according to the standards established by the Animal Welfare Act. See also pg 197 of Chapter 7, Various Vermont Laws Dealing with Animals, "USDA Law and Animal Cruelty".

Vermont Agency of Agriculture, Food & Markets

Division of Animal Health

116 State St.

Montpelier, VT 05602

802-828-2421

Responsible for enforcement authority of Title 20; also has certain enforcement authority involving livestock in Title 13. Contact the department before you take any enforcement action on cases involving livestock. See also page 212 of this Appendix, "Consulting with the Department of Agriculture on Livestock Cruelty Investigations".

Vermont Fish and Wildlife Department

Fish & Wildlife Law Enforcement

103 South Main St.

Waterbury, VT 05671-0501

802-241-3727

Responsible for enforcing general criminal laws involving wildlife. Wardens can be reached by calling the nearest State Police dispatcher. For a complete listing of wardens by district, check the Department's website at www.anr.state.vt.us.

Vermont Department of Health

108 Cherry St., PO Box 70
Burlington, VT 05402-0070
1-800-464-4343; 802-863-7200

Contact your local health officer for assistance in animal cruelty cases that involve problems that may endanger human health, such as vermin, ground water pollution, and suspected rabies. Contact information for each county can be found on-line at the Department's website, www.healthyvermonters.info.

Vermont Department of Social and Rehabilitation Services

Barre – 802-479-4260
Bennington – 802-442-8138
Brattleboro – 802-257-2888
Burlington – 802-863-7370
Hartford – 802-295-8840
Middlebury – 802-388-4660
Morrisville – 802-888-4576
Newport – 802-334-6723
Rutland – 802-786-5817
St. Albans – 802-527-7741
St. Johnsbury – 802-748-8374
Springfield – 802-885-8900

After Hours Emergency – 1-800-649-5285

Contact your local district office when you suspect that a person may also be a victim of abuse in an animal cruelty case you are investigating.

Vermont Sheriffs' Departments

Addison County – 802-388-2981
Bennington County – 802-442-4900
Caledonia County – 802-748-6666
Chittenden County – 802-863-4341
Essex County – 802-892-1111
Franklin County – 802-524-2121
Grand Isle County – 802-372-4482
Lamoille County – 802-888-3502
Orange County – 802-685-4875
Orleans County – 802-334-3333
Rutland County – 802-775-8002
Washington County – 802-223-3001
Windham County – 802-365-4942
Windsor County – 802-295-0603

Assistance with cruelty investigations in municipalities that have contracted them to provide law enforcement services.

Vermont State's Attorney's Offices

Addison County – 802-388-7931
Bennington County – 802-442-8116
Caledonia County – 802-748-6657
Chittenden County – 802-863-2865
Essex County – 802-723-3010

Franklin County – 802-524-7920
Grand Isle County – 802-372-5422

Vermont State's Attorney's Offices (cont)

Lamoille County – 802-888-7945

Orange County – 802-685-3036

Orleans County – 802-334-2037

Rutland County – 802-786-2531

Washington County – 802-479-4220

Windham County – 802-257-2860

Windsor County – 802-295-8870

Contact for assistance with putting together a case, including applications for search warrants, review of evidence, etc.

Vermont State Police

Bethel Field Station - 802-234-9933

Bradford Field Station - 802-222-4680

Brattleboro Field Station - 802-254-2382

Derby Field Station - 802-766-2211

Middlebury Field Station - 802-388-4919

Middlesex Field Station - 802-229-9191

Rockingham Field Station - 802-875-2112

Rutland Field Station - 802-773-9101

St. Albans Field Station - 802-524-5993

St. Johnsbury Field Station - 802-748-3111

Shaftsbury Field Station - 802-442-5421

Williston Field Station - 802-878-7111

Assistance with cruelty investigations when no local law enforcement covers the area in question.

Consulting with the Department of Agriculture on Livestock Cruelty Investigations

Authority

Because of the large number of complaints it receives, the Department has found it necessary to clearly define its role and involvement in animal cruelty that is within the scope of its resources and authority. Humane officers⁽¹⁾ need to recognize that the Department of Agriculture has no statutory authority or resources appropriated for investigation and enforcement of the Cruelty to Animals law (13VSA Chapter 8). The Department has no legal authority to enter private property, to apply for a warrant, to press criminal charges or to impound or seize animals for cruelty. The Department does have regulatory authority, however, over those individuals licensed as pet merchants or registered as animal shelters subject to the Animal Welfare Regulations under the Welfare of Animals law (20 VSA Chapter 194).

Accepted Livestock and Poultry Husbandry Practices⁽⁴⁾

The only reference to the Department of Agriculture in the Cruelty to Animals law is the responsibility of humane officers to consult with the Department prior to any enforcement action involving livestock and poultry^(2,3). Under this law, the Department can advise a humane officer as to whether certain behaviors are considered accepted livestock and poultry husbandry practices⁽⁴⁾ exempt from the definition of animal cruelty.

Communication

The Department is able to function most effectively in this respect and within the scope of its resources when it can liaison with a local humane officer who has taken responsibility for initiating the investigation and monitoring the progress of the case. The nature of the consultation will vary with the circumstances of the case but may involve verbal communication over the phone, written communication, or a site visit with the humane officer involved.

In order to facilitate the most effective use of the Department's time and resources, complaints received by the Department will be directed to a local humane officer⁽¹⁾ for investigation. The humane officer should consult with the Department of Agriculture prior to any enforcement action to ascertain if a case involving livestock⁽²⁾ constitutes an exempt livestock or poultry husbandry practice as defined by law. Before the Department is consulted, local humane officers should have taken the following actions:

1. Initiate the Investigation: Gather information about who, what, how, when, where and why. Who is involved, where are they located and how can they be contacted? What kind and how many animals are involved? What is the nature of the complaint?

2. Contact the Complainant/Owner: Many complaints can be resolved at this level by either making the complainant/owner aware of the concern or by finding a satisfactory explanation or resolution of the problem.
3. Assess the Urgency of the Complaint: Many complaints turn out to be something less serious than what is originally alleged. The humane officer is not expected to take on the role of a veterinarian. Their own impressions and sense of urgency is all that is expected. Are the animals in obvious distress? Are they bright and alert, eating and/or able to walk around? Is there feed and water available? Do the animals look thin or in poor condition? Does the original complaint seem valid? Is there a reasonable explanation for the situation?

If necessary...

4. Make Recommendations for Corrective Actions: Title 13 VSA, Chapter 8 states that it is the purpose of the subchapter "...to educate the public on requirements of the subchapter and, when appropriate, to seek voluntary resolution of violations." Does a local veterinarian need to be consulted to evaluate and treat the animal(s) or make recommendations? Does adequate feed, water and/or shelter need to be provided?
5. Make Contact with Local Resources: Establish relationships with local veterinarians who are willing and able to assist with evaluating and treating cases and making recommendations. Establish relationships with local law enforcement officials who can assist with investigation, enforcement and personal safety issues. Know how to contact the local State's Attorney to apply for warrants.
6. Monitor Case Progress: periodic visits are often required to determine if the situation is improving or deteriorating.

Definitions

(1) Humane Officer – 13 VSA §351 (4) Any law enforcement officer as defined in 23 V.S.A. § 4(11), auxiliary state police officers, deputy game wardens, humane society officer, employee or agent, local board of health officer or agent, or any officer authorized to serve criminal process.

"Enforcement officers" - 23 V.S.A. § 4(11) shall include sheriffs, deputy sheriffs, constables, police officers, state's attorneys, motor vehicle inspectors, state game wardens and state police ...

(2)"Livestock" means cattle, bison, horses, sheep, goats, swine, cervidae, ratites and camelids.

(3) § 354 Enforcement; possession of abused animal; searches and seizures; forfeiture

(a) The commissioner of agriculture, food and markets shall be consulted prior to any enforcement action brought pursuant to this chapter which involves livestock and poultry.

(4) "Livestock and poultry husbandry practices"13 VSA §351 (13) means the raising, management and using of animals to provide humans with food, fiber or transportation in a manner consistent with:

(A) husbandry practices recommended for the species by agricultural colleges and the U.S. Department of Agriculture Extension Service; (B) husbandry practices modified for the species to conform to the Vermont environment and terrain; and (C) husbandry practices that minimize pain and suffering.