

Highlights of

The Guidelines for Standards of Care in Animal Shelters, Second Edition (2022)



8. Forensics

8.1 General

Shelters may receive animals who have experienced abuse or neglect (i.e. maltreatment) and have an obligation to recognize and report suspected cases. Many shelters are engaged in the active investigation of suspected crimes against animals, or **forensics**, which can be part of their mission or mandate. Caring for animals who have been abused or neglected may place significant demands on shelter resources due to their medical or behavioral needs, the number of animals involved, and potentially lengthy stays while a legal outcome is determined.

8.2 Laws and regulations

The definitions of animal abuse and neglect vary across states and jurisdictions, as do relevant laws. These crimes range from inflicting physical or emotional harm (i.e. abuse) to failing to provide adequate and necessary care (i.e. neglect). Shelters, veterinarians, and humane investigators must be familiar with animal abuse and neglect laws in their jurisdiction, including animal cruelty reporting requirements and liability protection statutes, and know how to report suspected cases. In recent years, the Five Domains model of animal welfare assessment has been used as a framework for assessment in animal legal cases.

8.3 Forensic investigation policies

Shelters should have a policy that outlines the scope of forensic services provided. Services may be limited to animal care or may involve active investigation. For shelters that regularly provide investigative support to other agencies, the policy needs to define which geographic areas are covered, which species can be investigated, where forensic exams are performed and by whom, and how animals and other evidence are held. Consultation with an attorney is suggested during the development of a forensic investigation policy. A memorandum of understanding with collaborating agencies defines roles and financial responsibilities for crime scene documentation, care and treatment of animals. A release permitting the shelter to examine and care for the animals is recommended. Those investigating a suspected case of animal abuse or neglect must first ensure that they have the legal right (e.g. seizure, warrant, or owner consent) to examine, treat, and document the condition of the animal or scene. It is essential to understand the legal procedures involved in criminal investigation, including the defendant's right to protection from unreasonable search and seizure.

8.4 The veterinary forensic evaluation

Information about the scene, evidence collected, allegations, and known or reported history, as well as findings from forensic examination or necropsy, diagnostic results, and evidence collected from the animal are all included. Evaluation and opinion formation for forensic purposes must be conducted by a veterinarian.

Veterinarians may be expected to provide evidence through written statements or by providing testimony in court. The lead investigator or district attorney is a good resource for understanding legal requirements and expectations.

8.4.1 Veterinary forensic examination: A key part of forensic evaluation is a forensic physical exam or necropsy with documentation, for which shelters should have standard protocols. The priority is providing stabilization and medical care. In most cases, this can be accomplished while simultaneously trying to identify, document, collect, and preserve key evidence in a timely manner. Case evidence may disappear quickly or change over time with appropriate care.

8.4.2 Documentation: Photographs should include the front, back, left, right, and top of the animal, as well as abnormalities and identifying information. Photographs should be of sufficient quality to serve as evidence, and they should be managed to ensure proof of origin and integrity. Videos can help document dynamic processes such as limping or behavior.

8.5 Managing evidence

Chain of custody protocols must be maintained. To ensure proper packaging, storage, and transfer of evidence between agencies, it is recommended that shelters consult local law enforcement, the forensic laboratory, or forensics reference materials. Monitoring and response to ongoing treatment should be documented as evidence throughout recovery. Demonstrating improvement as a response to appropriate care provides evidence and may refute narratives presented by the defense.

8.6 Training

Specific training regarding forensic evaluations, evidence identification and collection, and testifying in court has become widely accessible (Appendix D).

*See the full guidelines for references and supporting documents:
<https://jasmcah.org/index.php/jasv/issue/view/2>*