

INCLUDING ANIMAL CRUELTY AS A FACTOR IN ASSESSING RISK AND DESIGNING INTERVENTIONS

Mary Lou Randour
Doris Day Animal Foundation, Washington, D.C.

Abstract

Animal cruelty is not only often a precursor to disruptive and delinquent behavior, it often co-occurs with the commission of family violence and other criminal behavior. The American Psychological Association, the National Crime Prevention Council, and the National School Safety Council cite animal cruelty as one of the warning signs for identifying at-risk youth. In 1987, the Diagnostic and Statistical Style Manual added animal cruelty as an indicator of the presence of conduct disorder in children. In recognition of this important link between animal cruelty and juvenile delinquency, 27 states have added statutory requirements for juveniles adjudicated for animal cruelty, or possibility of animal cruelty, to submit to psychological counseling. Despite this clear link between animal cruelty and youth violence, and the importance of accurately identifying risk factors that increase the likelihood of delinquent behavior, researchers and policy makers do not always grasp the utility of looking at animal cruelty as an important variable to consider. The development of disruptive and delinquent behavior takes place in a progressive fashion. Could the detection of animal cruelty generate earlier and more effective interventions and allow the research community to better understand the development of deviant behavior? This paper will assess the feasibility and usefulness of including animal cruelty as a variable in future research and practices, as well as make recommendations of how this can be accomplished. In addition, recommended policy changes will be discussed, including the practices of maintaining statistics on juvenile animal cruelty and the current proposal before the Federal Bureau of Investigation to add animal cruelty as a separate category in the agency's crime data collection system.

Introduction

Animal cruelty is a precursor to disruptive and delinquent behavior; it also co-occurs with the commission of family violence and other criminal behavior. For example, a number of state and national surveys determined that between 46.5 percent to 71 percent of women seeking shelter from domestic violence report that their partners had injured or killed a family pet, or threatened to do so (Ascione, 1998; Ascione, 2000; Flynn, 2000). Another review of data over a twenty year period that compared the criminal records of men convicted of animal cruelty with a group of "next door neighbors" found that those convicted on animal cruelty charges were five times more likely to have been arrested for crimes of violence against people, four times more likely to have records for property violations, and three times more likely to have been charged with drunk or disorderly offenses (Arluke and Luke, 1997).

In 1987, the Diagnostic and Statistical Style Manual added animal cruelty as an indicator of the presence of conduct disorder in children. The diagnostic criteria for conduct disorder are clustered into four groups. The first symptom cluster is "aggression to people and animals," distinguishing these actions from destruction of property, deceitfulness or theft, and serious violations of rules (American Psychiatric Association, 1994). Ascione (2001) notes, "Cruelty to animals may be one of the first CD symptoms to appear in young children" (p. 5). Additionally, a recent study (Verlinden, 2000) found that five of the 11 perpetrators of school shootings between 1996 and 1999 had histories of animal abuse. In recognition of this link, the American Psychological Association, the National Crime Prevention Council, and the National School Safety Council cite animal cruelty as one of the warning signs for identifying at-risk youth.

The Problem of Not Considering Animal Cruelty in Data Analysis and Developmental Models

The longitudinal research from the Pittsburgh Youth Study showed that the development of disruptive and delinquent behavior takes place in a progressive fashion. Youth exhibit less serious problem behavior first,

and then gradually advance to committing more serious, disruptive and delinquent behavior (Kelley, Loeber, Keenan, and DeLamatre, 1997). As noted earlier, animal cruelty may be one of the first indicators of the development of problem behavior. Despite this clear link between animal cruelty and youth violence, and the importance of accurately identifying risk factors linked to the development of delinquent behavior, research and policy makers do not always grasp the utility of looking at animal cruelty as an important variable to consider. Lawmakers at the state level have demonstrated an increasing awareness of how animal cruelty is linked to human violence. In 1990, only seven states had felony provisions in their animal cruelty statutes. Currently, 41 states and the District of Columbia have felony-level penalties for egregious acts of animal cruelty (Retrieved May 3, 2004, from http://www.aldf.org/uploads/Felony_Status_List.pdf). Classified as a misdemeanor or a felony, animal cruelty is a crime in all fifty states and the District of Columbia. In addition to adding felony provisions, twenty-seven state legislatures have either recommended or mandated psychological counseling for juveniles or adults convicted of animal abuse.

National data collection systems concerned with child abuse and neglect, juvenile justice, and youth violence demonstrate the importance such data collection has for understanding the problem and for designing and evaluating interventions. It is proposed here that the systematic inclusion and analysis of animal cruelty into national data collection systems could generate earlier and more effective interventions and allow the research, policy, and practitioner communities to better understand the development of deviant behavior.

Solving the Problem of Including Animal Cruelty as a Factor in Data Collection and Analysis

If animal cruelty is an important factor for understanding the development of delinquent and disruptive behavior in children, and in designing interventions, how can this important information be obtained? This paper proposes strategies for federal, state, and higher-education officials. The strategies entail either the minor revisions of the survey questions of data collection systems, the secondary analyses of relevant databases, or the review of how animal cruelty is categorized in databases.

Revision of key national data collection systems

The Statistical Briefing Book (SBB) developed by the National Center for Juvenile Justice for the Office of Juvenile Justice and Delinquency Prevention (OJJDP) lists the following eight national datasets (Retrieved April 30, 2004 from <http://ojjdp.ncjrs.org/ojstatbb/>):

- Census of Juveniles in Residential Placement
- Monitoring the Future: A Continuing Study of the Lifestyles and Values of Youth
- Uniform Crime Reporting Program
- National-Incident Based Reporting System
- National Longitudinal Survey of Youth 1997
- National Youth Risk Behavior Survey
- National Crime Victimization Survey
- National Child Abuse and Neglect Child Data File

Census of Juveniles in Residential Placement

In 1997, the Census of Juveniles in Residential Placement (CJRP) was administered by the U. S. Bureau of the Census for the OJJDP, replacing the Children in Custody (CIC) census. The CJRP is conducted biennially. The most serious crime committed by each juvenile is recorded. The Offense Code Card uses five categories: offenses against property; offenses against persons; drug-related offenses; offenses against the public order; and probation or parole violation. One of the sub-categories under “offense against public order” is “other public order offenses” (Retrieved May 2, 2004 from <http://ojjdp.ncjrs.org/ojstatbb/Cjrp/pdf/CJRP1999form.pdf>).

At present, animal cruelty is categorized with the “other public order offenses,” making it impossible to retrieve the data on the rate of animal cruelty among juvenile offenders in residential placement. Again, there is vital information that is lost by not having animal cruelty reported in a way in which the data on it can be retrieved and analyzed. One possibility would be to assign animal cruelty to its own sub-category within the “offenses against the public order” category.

Uniform Crime Reporting Program, National Incident-Based Reporting System, and “national indices initiative”

The Federal Bureau of Investigation (FBI) has administered the Uniform Crime Reporting Program (UCR) since 1930. The purpose of this data collection system is to obtain nationally representative estimates of the level and change in level of crimes, which is reported by state and local police organizations. Crimes in the UCR are categorized into two categories: Part I, which includes the most serious crimes that constitute the Crime Index, and Part II crimes.

UCR’s usefulness is limited.

The amount of data on juveniles in the UCR is quite limited. Coverage problems in the system further limit the usefulness of the available data. Moreover, because the system is jurisdiction-based rather than incident-based, the data cannot be manipulated extensively to provide estimates useful in national estimation or policy research (Retrieved April 20, 2004 from <http://ojjdp.ncjrs.org/ojstatbb/Compendium/asp/Compendium.asp?selData=3>).

The FBI sought to address some of the shortcoming of the UCR system with the development of the National Incident-Based Reporting System (NIBRS). NIBRS entails an incident-based reporting rather than jurisdiction-based, or summary, reporting. It provides more complete information on crimes, victims, and offenders than UCR. Implementation has been slow and to date only 18 percent of local and state police agencies participate, covering less than half of the U.S. population. Although NIBRS’ coverage is quite limited, it has been cited as,

. . . a revolution in law enforcement data collection and reporting. It enables analysis of incidents involving juveniles as victims or offenders and can provide a wealth of detail about the type of offense(s), relationship between offender and victim, number of offenders and victims, severity of injury, incident setting, weapon and substance use, and incident timing (Retrieved April 10, 2004, from <http://ojjdp.ncjrs.org/ojstatbb/Compendium/asp/Compendium.asp?selData=4>).

Currently, the FBI is developing a third version of the crime data collection system, referred to as the “national indices initiative.” This new initiative is in the strategic planning stages of development with approximately 20 local, state, and federal agencies participating in a pilot project. Kirkpatrick (2003) has said this latest version of the FBI crime report data collection system,

. . . is envisioned as a national repository of incident/case report information that would yield expanded details concerning a subject’s criminal history, known associates, employment/trade, modus operandi, etc. (M. D. Kirkpatrick in personal communication to Honorable Paul Sarbanes, September 10, 2003, with Post Copy to author).

Adding animal cruelty to the FBI’s crime data collection system. Animal cruelty is a crime in every state and, as noted, some acts of animal cruelty are a felony in forty-one states and the District of Columbia. Animal cruelty also is linked to other crimes, including child abuse and spousal abuse. Yet, there is no category

except “other” for local and state police agencies to report data on crimes of animal cruelty, making its future retrieval and analysis impossible.

Assigning animal cruelty a separate category in the FBI’s crime data collection system could be added without any additional costs to local police agencies. As police agencies convert from UCR to NIBRS, or adopt the forthcoming national indices system, this new category could be incorporated into the system and absorbed in the general costs entailed by converting to a new system.

Although they have made no commitment to do so, the FBI recognizes that the inclusion of animal cruelty as a separate category in the national indices initiative would add considerable data analysis capabilities.

(V)ariables such as felony animal abuse arrests could be linked with a vast array of other statistics to develop useful demographic information (M. D. Kirkpatrick in personal communication to Honorable Chris Van Hollen, May 5, 2003, with Post Copy to author).

The National Crime Victimization Survey

The NCVS, a nationally representative sample of approximately 49,000 households, obtains information on the frequency, characteristics, and consequences of criminal victimization in the United States. Crimes are categorized as personal or property. Vandalism is one type of property crime covered by the NCVS (Retrieved May 3, 2004 from <http://ojjdp.ncjrs.org/ojstatbb/Compendium/asp/Compendium.asp?selData=7>).

In the “Household Respondent’s Vandalism Screen Questions,” question 46b asks, “What kind of property was damaged or destroyed in this/these act(s) of vandalism? Anything else?” One of the possible responses to question 46b is “Animal (pet, livestock, etc.)” The following question 46c asks, “What kind of damage was done in this/these act(s) of vandalism? Anything else?” Again, one of the responses is “Injured or killed animals” (Retrieved May 3, 2004 from <http://www.icpsr.umich.edu/cgi/archive.prl?study=3691>).

Although data about the rate of injured and/or killed animals is not presently analyzed in NCVS, it is possible for that data to be extracted from the current NCVS database (T. Zelenock, personal communication, April 9, 2004). As there are currently no statistics on the rates of animal cruelty, a very useful first step would be to analyze the NCVS for this information.

Expanding the reach of the National Child Abuse and Neglect Data System Child File

Including animal cruelty as a variable in these datasets offer more information on at-risk youth, families, and perpetrators, and can guide intervention efforts. For example, the National Child Abuse and Neglect Data System Child File is a national data collection and analysis program on child abuse and neglect. The Children’s Bureau in the Administration for Children and Families maintains the national data collection and analysis program (Retrieved April 30, 2004 from <http://ojjdp.ncjrs.org/ojstatbb/Compendium/asp/Compendium.asp?selData=7>).

One of the areas of interest 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 (Retrieved April 20, 2004 from <http://www.acf.dhhs.gov/programs/cb/dis/ncands98/record/recorda1.pdf>).

As animal cruelty is an integral part of family violence, which overlaps with both child abuse and spousal abuse, separate questions about the presence and type of animal abuse by primary/family caretakers would add useful information. The more serious degrees of animal injury could indicate advanced pathology and a more lethal situation; identification of members who are participating in animal cruelty also could help identify the extent to which children in the family have been affected by their abuse and are now

externalizing that experience. If animal cruelty is present, other resources in the community could be mobilized that would add to the efforts being made to protect children and families. Animal control officers, many of who are now trained to recognize and report child abuse, could coordinate visits with child protective service agencies, offering the family greater coverage.

State Juvenile Justice Agencies

The data collection by state agencies of juvenile crime statistics mirrors the FBI's approach to collection and recording animal cruelty arrests. Despite the utility of animal cruelty as a marker for the development of delinquent behavior and its association with other risk factors, such as family violence, state systems do not collect juvenile crime statistics on animal cruelty. For example, in Maryland, juvenile crimes are organized into four categories: (1) person-to-person offenses, (2) property offenses, (3) alcohol and drug related offenses, and (4) uncategorized offenses. Specific subcategories of "uncategorized offenses" include conspiracy, loitering, motor vehicle/traffic violations, pager at school, telephone misuse, and tobacco violations, but not animal cruelty (Maryland Department of Juvenile Justice, 2002).

A preliminary review of the data collection of state agencies could not identify any state that collects or reports animal cruelty as a separate category in its juvenile crime data. An examination of the FBI Arrest Statistics for juveniles for the years 1994-2001 reveals a total of 6,896 per 100,000 and the number of arrests within "all other offenses" include 1,205 per 100,000, or 17.47 percent of all arrests for juveniles in this time period, making it the subcategory with the largest number of arrests in the entire crime index (Retrieved April 20, 2004 from <http://ojjdp.ncjrs.org/ojstatbb/ezaucr/>).

Presumably, some portion of those arrested for "all other offenses" committed acts of animal cruelty, yet because of the way in which juvenile crime statistics are ordered, there is no way to determine this. The lack of such information has at least two important consequences. First, not reporting animal cruelty crimes among juveniles implies that these behaviors are not important, which contradicts evidence that they are. Second, lack of information about the demographics and other factors associated with animal cruelty restricts the ability to identify at-risk youth as early as possible and to design the most effective interventions for them (Snyder, Puzzanchera, and Kang, 2003; Retrieved May 2, 2004 from <http://ojjdp.ncjrs.org/ojstatbb/ezaucr/>).

University-based research

As has been noted earlier, as one of the first indicators of troubled youth, animal cruelty can lead to earlier identification and therefore more effective interventions. Although there are a number of university-based research studies with data bases that include information about animal cruelty, the benefits of analyzing that data with this in mind has not been recognized. Additionally, there are a growing number of programs that pair at-risk youth with shelter and other animals. These programs, designed for mutual benefit, have promising results (Hanselman, 2001). However, there has been no systematic attempt to evaluate them so that their effectiveness can be assessed and adjustments can be made to improve them. In large measure, this lack of scrutiny is a result of the failure to include animal cruelty as a risk factor for youth into the thinking of researchers and policy makers.

The Pittsburgh Youth Study illustrates the potential that some university-based research databases have for shedding additional light upon the problem of at-risk youth by examining animal cruelty as a key factor. This well-designed and comprehensive study's findings provided valuable information to researchers, policymakers, and program planners by showing that "the development of disruptive and delinquent behavior by boys generally takes place in an orderly, progressive fashion, with less serious problem behaviors preceding more serious problem behaviors" (Kelley, Loeber, Keenan and DeLamatre, 1997, p. 1-2). With study sites in three locations, the three research teams interviewed 4,000 participants at regular intervals for nearly a decade. One result of the Pittsburgh study was the construction of a developmental pathway model, as well as an ordering of the various manifestations of disruptive and antisocial behaviors in childhood and

adolescence, and the temporal sequence of developmental tasks relevant for prosocial development. In the construction of its developmental pathway model, the researchers used an earlier study by Frick, Lahey, Loeber, Tannenbaum, Van Horn, Christ, Hart, and Hanson (1993), which produced a Multidimensional Scale of Disruptive Behavior (MSDB) with a destructive-nondestructive dimension and a covert-overt dimension. These two dimensions produced four quadrants: property violations (covert, destructive), aggression (overt, destructive), status violations (covert, nondestructive) and oppositional (nondestructive, overt).

In the MSDB developed by Frick et al. (1993), animal cruelty appeared in the higher end of the destructive pole, with property violations, but very close to the aggression quadrant. The formulations provided by the Pittsburgh study did not include animal cruelty in their listing of component behaviors used to develop their conceptual model of covert, overt, and authority conflict categories, which formed the basis for the construction of their developmental pathways model.

Why does animal cruelty disappear as a factor in building models of disruptive behavior? It is a behavior identified by DSM-III-R as a symptom of conduct disorder; it is recognized as an early “marker” of troubled youth; it is associated with other forms of violence. Additionally, animals play an important role in the lives of families and communities. In a re-examination of the Pittsburgh study, researchers might address the following questions. If animal cruelty is considered in the development of disruptive and delinquent behaviors, where does it appear in the sequence of the age of onset for these behaviors? Is animal cruelty associated with other behavioral problems, such as ADHD? Are the type, severity, and other characteristics of animal cruelty relevant to understanding the degree of risk the child faces? If animal cruelty were considered a crime of violence in the Multidimensional Scale of Disruptive Behavior, how would that effect its usefulness as a factor for understanding the development of disruptive and delinquent behavior?

Discussion

Once the elephant in the room has been noticed, it seems pretty obvious—at least to the initial observer. What obscures the elephant that is animal cruelty as a factor in assessing risk and designing interventions for at-risk youth?

There are, of course, many possible answers for this neglect. It only has been in the last twenty years that social scientists and law enforcement have recognized the significance of animal cruelty to other crimes. In 1987, the DSM-III-R added animal cruelty as an indicator of conduct disorder and in 1990 only seven states had felony-level provisions in their animal cruelty statutes, compared to the 41 who do so today.

Although various categories are used by the juvenile justice community to classify juvenile crime, none include animal cruelty. In his review of animal abuse and youth violence, Ascione (2001) notes the value of national data collection systems in the area of child abuse and neglect, but observes, “it is not clear how animal abuse offenses could be incorporated into the existing categorization (person, property, drug, public order) of juvenile arrests” (p. 10). The OJJDP provides a slightly different list of categories. OJJDP’s “crimes and behavior youth may be arrested for” are violent crimes, property crimes, other crimes (non-indexed by the OJJDP), and status offenses. Some of the “other” non-indexed crimes are loitering, suspicious behavior, vagrancy; animal cruelty is not on the list within any of OJJDP’s categories (Retrieved April 12, 2004 from <http://www.ncjrs.org/pdffiles1/ojjdp/191729.pdf>).

The Pittsburgh study observes a difference between the juvenile justice community and mental health practitioners as to what constitutes disruptive behavior. Citing the American Psychiatric Association, Kelly et al. (1997) note that mental health practitioners consider a range of diagnostic labels as disruptive child behaviors, including conduct disorder, which may involve aggression toward people and animals. Contrasted to the mental health community, which recognizes animal cruelty as an indicator of conduct disorder,

juvenile justice practitioners define delinquent and disruptive behaviors as property crimes, violent crimes against persons, sale or alcohol or drugs, illegal possession of weapons, and status offenses.

There are at least two ways to notice the elephant in the room and to incorporate the behavior of animal cruelty into juvenile justice and mental health community research, policies, and programs.

The first approach would entail an updated and enhanced legal definition of property. David Favre (2000) of the University of Michigan Law School observes, “As property laws are a human construct and not an inherent characteristic of physical objects, there is always conceptual space for innovation” (p. 2). In a carefully articulated legal argument, which cannot be described here, he makes the case for animals being assigned a qualitatively different position within property law. Such a “special designation” of animals as property would satisfy the concerns expressed by Alex Foster, Assistant State’s Attorney for Montgomery County, Maryland. At a sentencing hearing for a person convicted of felony animal cruelty, Mr. Foster urged the judge to ignore the recommendation of the sentencing guidelines. He noted that because animals were categorized as property, the formula used underestimated the seriousness of the crime. Mr. Foster noted, “Animals are not human beings, of course. But they are also not just property. They are sentient beings, so that cruelly injuring and killing an animal has a different motivation and consequence” (Alex Foster, personal communication, January 15, 2003).

Another approach is to adopt the three categories of crime offered by NIBRS, which are (1) crimes against persons, (2) crimes against property, and (3) crimes against society (Retrieved February 20, 2004 from <http://www.fbi.gov/ucr/nibrs/manuals/v1all.pdf>).

There are several advantages to this approach. First, the FBI, which often sets the standard for law enforcement, established this framework. Second, the framework has been in operation for over 15 years so it has been tested. Finally, the category of “crimes against society” would be the most logical place for crimes of animal cruelty. Like other crimes in that category—including drug use, disorderly conduct, and nonviolent family offenses—animal cruelty is a crime that often reflects distress in families and communities. In addition, classifying animal cruelty under “crimes against society” would recognize that the neglect, injury, and killing of a sentient creature, albeit a being legally defined as property, are actions that are qualitatively different than other destructive acts against property.

References

- American Psychiatric Association (1987). *Diagnostic and Statistical Manual of Mental Disorders* (3rd ed.). Washington, DC: Author.
- American Psychiatric Association (1994). *Diagnostic and Statistical Manual of Mental Disorders*. (4th ed.). Washington, DC: Author
- Ascione, F. R. (1998). Battered women’s reports of their partners’ and their children’s cruelty to animals. *Journal of Emotional Abuse, 1*, 119-133.
- Ascione, F. R. (2001). Animal abuse and youth violence. September, *Office of Juvenile Justice Bulletin*, U. S. Department of Justice.
- Favre, D.S. (2000). Equitable self ownership. *Duke Law Journal, 50*, 473-492.
- Flynn, C.P. (2000). Woman’s best friend: Pet abuse and the role of companion animals in the lives of battered women. *Violence Against Women, 6*, 162-177.
- Frick, P. J., Lahey, B.B., Loeber, R., Tannenbaum, L., Van Horn, Y., Christ, M. A. G., Hart, E. A., and Hanson, K. (1993). Oppositional defiant disorder and conduct disorder: A meta-analytic review of factor analyses and cross-validation in a clinical sample. *Clinical Psychology Review, 12*, 319-340.
- Hanselman, J. L. (2001). Coping skills interventions with adolescents in anger management using animals in therapy. *Journal of Child and Adolescent Group Therapy, 11*, 159-195.

- Kelley, B.T., Loeber, R., Keenan, K and DeLamatre, M. (1997). Developmental pathways in boys' disruptive and delinquent behavior. December, *Office of Juvenile Justice and Delinquency Prevention Juvenile Justice Bulletin*. U.S. Department of Justice.
- Maryland Department of Juvenile Justice. (2002). *Annual statistical report: Fiscal Year 2000*. Baltimore, MD: Author.
- Verlinden, S. (2000). *Risk factors in school shootings*. Unpublished doctoral dissertation, Pacific University, Forest Grove, OR.

Biography

Mary Lou Randour, Ph.D., is Director of Education for the Doris Day Animal Foundation (DDAF). A psychologist, previously she was a National Institute of Mental Health Postdoctoral Fellow, a grantee of the U.S. Department of Education, and a Research Associate at the National Institute of Education. In her position at DDAF, Dr. Randour develops materials and has conducted workshops nationally for police agencies, domestic violence prevention advocates, child protection service workers, mental health professionals, and educators on creating caring communities through the human-animal relationship. Dr. Randour is the author of three books, numerous professional publications, *AniCare Child: An Assessment and Treatment Approach for Childhood Animal Abuse*, and "The Empathy Connection" (forthcoming).