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ANIMAL CRUELTY AND VIOLENCE AGAINST HUMANS: MAKING THE CONNECTION

By
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The idea that there is a connection between the way individuals treat animals and human beings has a long history in Western popular culture, but a shorter history as the subject of scientific research. Recently, a growing body of evidence has confirmed an association between repeated, intentional abuse of animals and a variety of violent antisocial behaviors including child abuse, domestic violence, and violent criminal activities. The public made this connection before most law-enforcement or mental health officials. Public sentiment for tougher and better-enforced animal cruelty laws is strong, and there has been a dramatic response to recent high-profile animal abuse cases. Sensitivity to the importance of animal abuse as both an indicator of exposure to violence in the home and a predictor of increased risk for future acts of violence against people, promises to be an important tool to prevent many forms of societal violence.

Our culture defines our laws, but our laws define what we stand for as a culture and as a society. For most Americans, kindness to animals, or at least an aversion to the intentional infliction of animal suffering, is one of the core values that defines a civilized society.¹ This value system was incorporated into our laws at an early stage, starting with the "Body of Liberties," a set of rules the Massachusetts colony adopted in 1641 which prohibited "any [t]irryany or [c]rueltie towards any [b]ruite creature which are usuallie kept for man's use."²

The idea that cruelty to animals can be associated with antisocial, violent, or criminal behavior is not new. My colleague, Dr. Frank Ascione, and I recently compiled nearly fifty classic references from the last two hundred years making this connection in the literature of psychology, psy-

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¹ David Favre & Vivien Tsang, *The Development of Anti-Cruelty Laws During the 1800s*, 1 DET. C.L. REV. 1 (1993).

² GERALD CARSON, MEN, BEASTS AND GODS: A HISTORY OF CRUELTY AND KINDNESS TO ANIMALS 71 (1972).

chiatry, anthropology, criminology, and veterinary medicine.³ Popular culture has recognized this idea for several centuries. One of the most dramatic depictions of this connection was provided by artist William Hogarth in his 1751 series of woodcuts entitled *The Four Stages of Cruelty*.⁴ During this era, woodcuts were a popular way of communicating moral instruction to the emerging middle class.⁵ Hogarth regarded this series as one of the most important he produced in his career.⁶

The first of the woodcut series, *The First Stage of Cruelty*, depicts an urban street scene where several young boys are inflicting a variety of tortures on animals.⁷ A fighting dog is being turned loose on a cat, a cock-fight is underway, and several boys are tormenting cats. At the center of the scene, a young Tom Nero (the protagonist of Hogarth's woodcuts) plunges an arrow into the rectum of a dog while another boy tries to stop him by offering him a cake. Ironically, every form of cruelty depicted in this scene is represented by at least one cruelty report logged into The Humane Society of the United States (HSUS) database of such incidents last year.⁸

In the second scene, *The Second Stage of Cruelty*, Nero is an adult coach driver.⁹ His greed led him to overload his coach, causing his horse to break a leg. In his efforts to get the horse moving, Nero has beaten and blinded the animal. The third scene, *Cruelty in Perfection*, takes us further into Nero's future.¹⁰ He is a highwayman, depicted in a churchyard beside the pregnant, hacked corpse of his mistress Ann Gill, who had stolen her employer's silver at Nero's command. His deeds discovered, he is captured by a group of farmers. This scene is particularly prescient, accurately depicting the kinds of wounds documented in modern studies of sexual homicide; yet it was carved more than one hundred years before Jack the Ripper brought such crimes to the attention of the British public.¹¹

In modern times, an early history of animal abuse is significant as a predictor of later violence. This connection attracted the attention of the Federal Bureau of Investigation (FBI) in the early 1970s.¹² Retrospective studies of serial killers, mass murderers, arsonists, serial rapists and sexual homicide perpetrators indicated animal abuse was often a childhood

³ CRUELTY TO ANIMALS AND INTERPERSONAL VIOLENCE: READINGS IN RESEARCH AND APPLICATION (Randall Lockwood & Frank R. Ascione eds., 1998) [hereinafter CRUELTY TO ANIMALS].

⁴ ENGRAVINGS BY HOGARTH plate 77 (Sean Shesgreen ed., 1973) [hereinafter ENGRAVINGS].

⁵ *Id.* at xiv; see also ARTHUR S. WENSINGER, HOGARTH ON HIGH LIFE xxxvii-viii (W.B. Coley trans., 1970).

⁶ ENGRAVINGS, *supra* note 4, at xv.

⁷ *Id.* at plate 77.

⁸ Interview with Kim Roberts, HSUS First Strike™ Campaign Coordinator, in Gaithersburg, Md. (Mar. 1, 1998).

⁹ ENGRAVINGS, *supra* note 4, at plate 78.

¹⁰ *Id.* at plate 79.

¹¹ *Id.*

¹² Robert K. Ressler, et al., *Murderers Who Rape and Mutilate*, 1 J. INTERPERSONAL VIOLENCE 273 (1986); Randall Lockwood & Ann Church, *Deadly Serious: An FBI Perspective on Animal Cruelty*, in HUMANE SOC'Y NEWS 1 (Fall 1996).

characteristic of these violent offenders.¹³ This was true of one of New York City's more notorious murderers, David Berkowitz, the "Son of Sam" killer. Berkowitz killed his grandmother's parrot and shot a neighbor's dog prior to his string of murders.¹⁴ Jeffrey Dahmer had a fascination with animal corpses as a child. His father reports that Dahmer's first known act of violence was killing a tank of tadpoles in third grade.¹⁵ Many other similar anecdotes abound.

Former FBI agent Robert Ressler, one of the founders of the Agency's Behavioral Science Unit, reflected on the factors common to many of the serial killers he studied during his career. He noted:

these were the children who managed to grow up without being taught that poking something into a puppy's eye is harmful and should not be done, or that destroying property is against the rules . . . Cruelty to animals and to other children, running away, truancy, assaults on teachers, setting fires, destroying the property of others and their own property—these overt acts began in adolescence.¹⁶

Recently, Ressler changed his view slightly. He acknowledged such acts often begin in preschool, rather than first revealing themselves in adolescence.¹⁷

Last year brought other examples of the warning signs provided by acts of animal torture. Shortly after the arrest of Luke Woodham, age sixteen, in Pearl, Mississippi for killing his mother and several classmates, police located a diary in which he described his first killing—his dog Sparkle.¹⁸ This act, apparently performed with one or more accomplices and witnessed by at least one adult, went unreported.¹⁹ These incidents repeatedly demonstrate that acts of animal cruelty provide the first warning signs of a potential for violence.

The public increasingly speaks out about the need to respond to intentional acts of animal cruelty.²⁰ The incidents at Noah's Ark Animal Sanctuary in Fairfield, Iowa and the public's response to them, illustrate the widespread concern about the connection between animal cruelty and the potential for interpersonal violence. In that case, three young men en-

¹³ Stephen R. Kellert & Alan R. Felthous, *Childhood Cruelty Toward Animals Among Criminals and Noncriminals*, 38 HUM. REL. 1113, 1115 (1985); David Tingle et al., *Childhood and Adolescent Characteristics of Pedophiles and Rapists*, 9 INT'L J.L. & PSYCHIATRY 114, 103-16 (1986); Alan R. Felthous & Stephen R. Kellert, *Psychosocial Aspects of Selecting Animal Species for Physical Abuse*, 32 J. FORENSIC SCI. 1713, 1717 (1987); Alan R. Felthous & Stephen R. Kellert, *Childhood Cruelty to Animals and Later Aggression Against People: A Review*, 144 Am. J. Psychiatry 710, 712 (1987).

¹⁴ Ressler, et al., *supra* note 12, at 70.

¹⁵ LIONEL DAHMER, A FATHER'S STORY 72 (1994).

¹⁶ ROBERT K. RESSLER & TOM SHACHTMAN, WHOEVER FIGHTS MONSTERS 75, 81 (1992).

¹⁷ Television Interview by Phil Rogers with Robert K. Ressler, WMAQ-TV, Chicago, Ill. (Mar. 1, 1995) (on file with author).

¹⁸ Television Interview by Vivien White with Timothy Jones, District Attorney, Rankin County, Miss. (Oct. 12, 1998) (on file with author).

¹⁹ *Id.*

²⁰ PENN & SCHOEN ASSOC., PUBLIC OPINION ISSUES ON ANIMAL ABUSE: A REPORT TO THE HUMANE SOCIETY OF THE UNITED STATES (Feb. 6, 1997) (on file with author).

tered the animal shelter after midnight and bludgeoned numerous cats. Twenty-three animals died immediately or as a result of their injuries.²¹ One of the men was given probation as part of a plea bargain.²² The potential penalties in Iowa for the animal cruelty charges were minimal,²³ so prosecutors elected to charge the remaining men under a facilities break-in law, originally intended to protect laboratories from attacks by animal rights activists.²⁴ Given the weakness of many animal protection laws, it is important for prosecutors to seek creative approaches when responding to animal abuse. In the Noah's Ark case, the jury found the monetary value of the cats killed did not reach the level required for a felony charge (\$500). Thus, the men were found guilty of aggravated misdemeanor facilities break-in charges and were sentenced to twenty-three days in jail and three years probation, including participation in a youthful offenders program.²⁵

Media interest in this case rivaled that of many capital murder cases. The sentencing hearing was covered by all the major networks as well as CNN and Court TV.²⁶ Although the sentence was unsatisfying to many animal activists and members of the general public, when it is compared with the often minimal law enforcement responses to animal abuse in the past, the outcome shows the system *is* working. Juvenile offenders with no prior record were sent to jail and recognized as potentially violent individuals. The conditions of their probation involved psychological assessment, drug testing, work and life skills instruction, training in anger management and non-violent conflict resolution, peer sanction sessions, community service, and restitution.²⁷ Iowa probation officials demonstrated an interest and willingness to keep HSUS well-informed of the progress on these young men.²⁸ Importantly, the deeds of these men were not ignored.

In December of 1996, HSUS contracted with pollsters Penn and Schoen Associates, Inc., to survey American attitudes towards animal cruelty laws and their enforcement.²⁹ Approximately one thousand adults were asked if "enforcement of cruelty to animals laws should be strength-

²¹ Virginia Bollinger, *One Deadly Night at Noah's Ark*, in *HUMANE SOC'Y NEWS* 36 (Spring 1998).

²² *Id.* at 40.

²³ IOWA CODE ANN. § 717B.2 (West 1993 & Supp. 1999).

²⁴ IOWA CODE ANN. § 717A.1 (West 1993 & West Supp. 1999).

²⁵ Bollinger, *supra* note 21, at 40.

²⁶ Charles Bullard, *All Eyes Are on Bloomfield Cat Trial: Two Teen-agers Are Charged with Bludgeoning 16 Cats*, *THE DES MOINES REGISTER*, Nov. 4, 1997, § 2 (Metro Iowa), at 1; *Trial Moved for 2 Iowa Men Accused in Cat Massacre*, *OMAHA WORLD-HERALD*, Oct. 22, 1997, available in 1997 WL 6317692.

²⁷ Letters from Chris D. Baker, Baker Mediation Services, to Randall Lockwood, Vice President, Training Initiatives, The Humane Society of the United States (Jan. 29, 1998 & May 5, 1998) (on file with the author).

²⁸ *Id.*

²⁹ PENN & SCHOEN ASSOC., *supra* note 20.

ened."³⁰ More than eighty percent agreed or strongly agreed.³¹ Seventy-one percent agreed that some forms of animal abuse should be a felony.³² In addition, the public recognized this is not just a companion animal issue. Eighty-seven percent stated that animal cruelty laws should apply to *all* animals.³³

Some anti-cruelty laws require demonstration of an intent to harm the animal as a condition for defining cruelty or abuse, while other statutes recognize animal suffering is often the result of neglect³⁴ or the failure to provide appropriate veterinary care.³⁵ Seventy percent of those surveyed thought that animal neglect was as bad as intentional abuse.³⁶ The ongoing HSUS analysis of animal cruelty reports from around the country supports this concern regarding neglect. While animal neglect does not usually involve violence, and the perpetrators of such neglect are probably not at an increased risk of becoming violent offenders, such acts often result in the suffering of many more animals than acts of violent, intentional abuse. The average animal abuse case in HSUS records involves injuries to 2.3 animals by one individual, while the average high-profile neglect case usually involves the suffering of about thirty animals.

When asked the best reason to support stronger laws against animal cruelty, thirty-two percent stated the best reason was because cruelty is indicative or predictive of violence in the home.³⁷ While the connection between animal cruelty and serial killers gets a disproportionate amount of media attention, the reality is that animal cruelty is often part of the dynamic in the far more prevalent forms of family violence, including child abuse and domestic violence.³⁸

The second most common reason given to support anti-cruelty laws, offered by thirty percent of respondents, was that "defenseless animals should not be subjected to extreme cruelty."³⁹ The public seems to agree with the animal protection community that, even if there were no connection with violence against people, such cruelty is simply wrong. An additional seventeen percent stated animal cruelty is a concern because, in juveniles, it is predictive of later malicious or violent behavior.⁴⁰ Finally, another nine percent expressed the opinion that animal cruelty should be taken seriously because it is predictive of serial killers.⁴¹

³⁰ *Id.* at 2, 3.

³¹ *Id.*

³² *Id.* at 8.

³³ *Id.* at 11.

³⁴ FLA. STAT. ANN. § 828.12 (West 1994 & Supp. 1999); GA. CODE ANN. § 16-12-4 (1996); LA. REV. STAT. ANN. § 14:102:1 (West 1986 & Supp. 1999).

³⁵ ALASKA STAT. § 11.61.140 (Michie 1998); ME. REV. STAT. ANN. tit. 17, § 1031 (West 1983 & Supp. 1998); PA. CONS. STAT. ANN. tit. 18, § 5511 (West 1983 & Supp. 1983); WYO. STAT. ANN. § 6-3-203 (Michie 1997).

³⁶ PENN & SCHOEN ASSOC., *supra* note 20, at 4.

³⁷ *Id.*

³⁸ CRUELTY TO ANIMALS, *supra* note 3, at 289.

³⁹ PENN & SCHOEN ASSOC., *supra* note 20, at 14.

⁴⁰ *Id.*

⁴¹ *Id.*

Improved tracking and reporting of animal and human abuse will require greater coordination among agencies responding to different forms of societal violence. In an age where people are concerned about violations of confidentiality, there is surprising support for greater sharing of information when animal abuse is present. When asked whether "social workers, animal welfare workers, and law enforcement officials should share information on animal abuse cases to identify potential cases of child abuse," seventy-nine percent favored such a plan.⁴² This cross-reporting is currently required by law in only one state, California, where state humane officers are included as one of the mandated reporters of child abuse.⁴³ In addition, eighty-three percent of Americans surveyed agreed with the statement that "teachers, social workers, animal welfare officers and law-enforcement officials should share information on juveniles who abuse animals as a way of identifying potential violent criminals."⁴⁴

What should we do when we identify the perpetrators of violence? Returning to the tale of Tom Nero, public sentiment in 1751 seemed quite clear.

The final woodcut of *The Four Stages of Cruelty*, entitled *The Reward of Cruelty*, shows Nero taken to the gallows and hanged.⁴⁵ His corpse is carried to a surgical suite, where it is subjected to numerous forms of mutilation. In the foreground, a smiling dog is eating Nero's discarded heart.⁴⁶ Although many members of the public clamored for a similar resolution to the Noah's Ark case,⁴⁷ the emotional need for revenge must be tempered with a more reasoned approach to the goals of justice. In modern times, sentencing is viewed as serving at least three needs: punishing wrongdoing, providing for supervision and/or treatment when appropriate, and protecting the public.

Animal cruelty will not end if all those who are cruel to animals are simply put in jail. Currently, jails are at ninety-seven percent capacity, according to the National Institute of Justice, and in many areas violent offenders are routinely granted early release to ease the crowding.⁴⁸ The best hope lies in identifying serious offenders at the earliest possible stage in the escalation of violence, hopefully at an age or a stage when intervention is more likely to be effective. Prosecution is still the key to getting such offenders into a system where intervention is mandated and its results are tracked. However, more creative sentencing and possible intervention techniques must be identified. We need to design and evaluate

⁴² *Id.* at 9.

⁴³ CAL. PENAL CODE § 11165.16 (West 1999) (amended Apr. 28, 1993 to add "Humane Society Officer" and "Animal Control Officer" to the list of mandated reporters of child abuse).

⁴⁴ PENN & SCHOEN ASSOC., *supra* note 20, at 9.

⁴⁵ ENGRAVINGS, *supra* note 4, at plate 80.

⁴⁶ *Id.*

⁴⁷ See Bollinger, *supra* note 21, and accompanying text.

⁴⁸ See U.S. DEP'T OF JUSTICE, BUREAU OF JUSTICE STATISTICS, NATION'S PRISONS AND JAILS HOLD MORE THAN 1.7 MILLION—UP ALMOST 100,000 IN A YEAR (Jan. 18, 1998) <<http://www.ojp.usdoj.gov/bjs/pub/pres/pjim97.pr>> (on file with author).

appropriate diversion programs, counseling models, and protocols for community service to help build or restore empathy and instill the realization that power gained at the expense of the pain and suffering of others will have consequences.

It takes an entire community to respond to violence, yet our current systems for such responses are often fragmented. Rarely is any attempt made to coordinate a community's response to domestic violence, child abuse, animal cruelty, and other violent crimes.⁴⁹ A comprehensive, long-term approach to violence prevention and intervention requires coordination and communication among many groups, including social service agencies, humane societies and animal control agencies, law enforcement and judicial representatives, family crisis intervention groups, health care professionals, educators and school psychologists, church and community organizations, veterinarians and veterinary technicians.

Understanding and respecting the work accomplished by other agencies and organizations is vital for effective collaboration. Facilitating communication among all interested groups is an important step in creating truly humane society.

Research and common sense tell us that an important tool in creating a non-violent, or at least, a less violent society, is the encouragement of early development of empathy and compassion.⁵⁰ How individuals and societies treat animals is a powerful measure of how well, or how poorly, we have succeeded in this development. By paying closer attention to the special significance of the treatment and mistreatment of animals, we will be better equipped to build the truly humane society we all desire.

⁴⁹ Although multidisciplinary response teams are becoming more common in response to domestic violence and child abuse, full and equal representation of animal care and control agencies in these teams is rare. One exception is the Domestic Violence Enhanced Response Team of Colorado Springs, CO, which includes full participation of officers from Pikes Peak Humane Society. Interview with Lisa Fishburn, DVERT Operations Manager, in San Diego, Cal. (Oct. 24, 1998).

⁵⁰ CRUELTY TO ANIMALS, *supra* note 3, at 419.

