

PROTOCOL FOR ASSESSING ANIMAL WELFARE AND ELDER ADULT ABUSE
AND NEGLECT©



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The purpose of the protocol is to assist Division of Aging and Adult Services and Adult Protection Services (APS) personnel in conducting interviews with elder adult clients (or those referring elder adult clients) in cases where animal welfare issues may be pertinent to addressing the needs of elder adults and in cases where the welfare of elder adults may be compromised or in danger of being compromised. The needs of elder adults would be those that fall within the purview of the Division of Aging and Adult Services and Adult Protection Services.

The questions in this protocol typically refer to pets or companion animals (e.g., dogs, cats, birds, aquarium fish) but there may be cases where other types of animals (e.g., farm animals) are being cared for by elder adults. In such cases, the wording of items can be adapted.

The following statement may be read to the elder adult (or referring agent) to create the context for the questions and to indicate their purpose:

“Pets and other animals are sometimes present in many U.S. households. Some elder adults enjoy the companionship of animals and the opportunity to care for animals. We are trying to find out if elder adults have needs related to the health and welfare of their pets or other animals. Some elder adults find that animals can provide companionship or a sense of security but the care of pets and other animals can become difficult. We would like to learn more about your own needs related to pets and other animals. If these needs fit within the responsibilities of our agency, we will try to provide resources or referrals that could help to meet these needs.”

The authors of this protocol will be working with the Utah Division of Aging and Adult Services and APS to develop local listings of animal welfare agencies that could assist in addressing the animal welfare needs of elder adults.

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1. DO YOU HAVE ANY PETS OR CARE FOR ANY OTHER ANIMALS?

YES If answers "YES" proceed to Item #2

NO If answers "NO",
1a. "HOW LONG HAS IT BEEN SINCE YOU HAD A PET OR
CARED FOR OTHER ANIMALS?" or "HOW OLD WERE
YOU WHEN YOU LAST HAD A PET OR CARED FOR
OTHER ANIMALS?"

Never had pets or never cared for other animals
(if this item checked, end use of protocol)

(enter number of years or age)

1b. "WHAT HAPPENED TO THE LAST PET YOU HAD OR
THE LAST ANIMAL(S) YOU CARED FOR?"

died natural death or from disease

died as a result of injuries (ask for details _____

_____)

was taken away from me (ask for details _____

_____)

needed to give pet away or place in another home
or animal welfare facility

THIS ENDS THE PROTOCOL FOR THIS RESPONDENT

2. HOW MANY PETS OR OTHER ANIMALS DO YOU CARE FOR?

(list number)

3. WHAT KINDS OF PETS OR OTHER ANIMALS DO YOU CARE FOR?

(list types and numbers of each type below)

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4. HOW DOES HAVING A PET OR CARING FOR OTHER ANIMALS HELP YOU?

- consider pet part of my family**
- provides companionship for me**
- provides me with a sense of being loved and valued**
- (if applicable) provides companionship to my partner**
- provides assistance (e.g., guide dog for person with vision or hearing impairment)**
- provides opportunities for physical activity (e.g., walking, play)**
- provides a sense of security and/or safety**
- provides opportunities to meet other people**
- provides opportunities to feel needed, be responsible**
- other (please specify) _____**

5. HOW DO YOU CARE FOR YOUR PET OR OTHER ANIMALS?

- provide food/water**
- provide exercise (if applicable)**
- provide love and affection**
- provide routine veterinary care**
- interact with pet or other animals (e.g., petting, play, grooming)**

6. DO YOU HAVE CONCERNS ABOUT THE HEALTH AND WELFARE OF YOUR PET OR OTHER ANIMALS?

YES (please list concerns e.g., “CAN YOU TELL ME MORE ABOUT THIS?”)

NO

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7. DO YOU HAVE CONCERNS ABOUT YOUR ABILITY TO CARE FOR YOUR PET OR OTHER ANIMALS?

___ **YES (please list concerns)** _____

___ **NO***

8. DO YOU HAVE CONCERNS ABOUT BEING ABLE TO CONTROL YOUR PET'S OR YOUR OTHER ANIMALS' BEHAVIOR?

___ **YES (please list concerns)** _____

___ **NO**

9 DO YOU HAVE CONCERNS ABOUT BEING ABLE TO GET VETERINARY CARE FOR YOUR PET OR OTHER ANIMALS?

___ **YES (please list concerns)** _____

___ **NO**

10. DO YOU HAVE CONCERNS ABOUT WHO WILL CARE FOR YOUR PET OR OTHER ANIMALS IF YOU NEED TO BE HOSPITALIZED OR EXPERIENCE OTHER UNPLANNED ABSENCES FROM YOUR HOME?

___ **YES (please list concerns)** _____

___ **NO**

* Please note if your observations are discrepant from the elder adult's statement (e.g., pet with matted hair, collar that is obviously too tight, evidence of hoarding [see "Animal Care Checklist for Caseworkers" at the end of this protocol for guidelines])

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11. DO YOU HAVE CONCERNS ABOUT WHAT WOULD HAPPEN TO YOUR PET OR OTHER ANIMALS IF YOU NEEDED TO MOVE FROM YOUR PRESENT HOME?

___ **YES (please list concerns)** _____

___ **NO**

12. DO YOU HAVE CONCERNS ABOUT WHAT WILL HAPPEN TO YOUR PET OR OTHER ANIMALS IF YOU ARE NO LONGER ABLE TO CARE FOR THEM?

___ **YES (please list concerns)** _____

___ **NO**

13. HAS ANYONE EVER HARMED YOUR PET OR OTHER ANIMALS?

___ **YES* [ask respondent to provide details of the incident(s)]** _____

___ **NO**

14. HAS ANYONE EVER THREATENED TO HARM YOUR PET OR OTHER ANIMALS?

___ **YES* [ask respondent to provide details of the incident(s)]** _____

___ **NO**

* If respondent answers YES, then when this protocol has been completed, refer to questions in the **FOLLOW-UP PROTOCOL**.

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**15. IS THERE ANYTHING ELSE YOU WOULD LIKE TO ADD OR SOMETHING
ELSE YOU WOULD LIKE TO TELL US ABOUT YOUR PET OR OTHER ANIMALS?**

YES - "please go ahead and tell me" _____

NO

**THANK YOU SO MUCH FOR YOUR PATIENCE IN ANSWERING THESE
QUESTIONS. OUR AGENCY WILL CONSIDER THE CONCERNS YOU RAISED
AND SEE IF WE CAN BE OF ASSISTANCE TO YOU.**

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Animal Care Checklist for Caseworkers

[Relevant sections of the Utah Code related to cruelty to animals are inserted following this checklist.]

What Massachusetts Law Requires

State law specifies, by prohibiting certain actions, that people have specific duties towards animals in their care, whether owned or not. The wording of this law dates from over a hundred years ago, and was geared towards the treatment of working horses, so it can be awkward to apply it to modern companion animal settings. The language that would pertain to situations a caseworker might encounter is shown below:

Whoever ... having the charge or custody of an animal, either as owner or otherwise, inflicts unnecessary cruelty upon it, or unnecessarily fails to provide it with proper food, drink, shelter, sanitary environment, or protection from the weather, willfully abandons it, or otherwise, permits it to be subjected to unnecessary ... suffering or cruelty.

Proper care includes providing sufficient food, fresh water, a sanitary environment, adequate space and freedom of movement, protection from extremes of weather, safety from injury from other animals or the surroundings, and veterinary care to relieve suffering or prevent disease transmission. The checklist on the reverse side of this handout can help you screen for situations that may not meet these requirements.

How the Animal Rescue League (ARL) of Boston Can Help

The ARL employs MA Special State Police Officers who investigate reports of animal cruelty and neglect in Massachusetts, and shelter veterinarians who are skilled in working with underserved populations of people and animals. We also work closely with municipal officials and agencies, including state and local police. Mostly, the situations we respond to are the result of either ignorance or having insufficient resources to provide proper care. We may be to help with any or all of the following:

- Assessment of the health and husbandry of the animals, with recommendations for improving care and referrals to resources in the community
- Assessment of potential risk of zoonotic diseases (i.e., transmissible to people)
- Assistance with needed veterinary care, including vaccinations, spaying and neutering, and treatment of some health problems
- Help with placement of excess animals through our shelters or foster networks

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Animal Care Checklist for Caseworkers

The following checklist can help you determine whether there is a need for further evaluation of an animal care situation. Any answer of 'No' should trigger concern.

Requirement	Criteria	Yes	No
Proper food	Is food fresh, free of contaminants, and suitable for the species? Is food provided at sufficient frequency (daily) to maintain a healthy weight and body condition? Can the animal reach the food easily and safely?		
Proper water	Is there clean, fresh water always available? Is it free of dirt or other contaminants? Can the animal reach it?		
Proper sanitation	Is the cage or living environment of the animal free of accumulations of feces, urine, vomit and soiled or wet bedding or litter? Is the air fresh (sufficiently ventilated, without a strong smell of ammonia)? Is the area free of infestation with insects or rodents?		
Proper comfort	Does the animal have sufficient space to assume all normal body postures (stretch, sit, stand up, lie down, move around)? Can it move sufficiently to maintain normal muscle tone? Is the living area dry? Does the animal have a sleeping/eating area that's not in proximity of its waste?		
Grooming	Are the animal's nails (or beak) trimmed properly? Is the hair clean and free of mats? Is the animal free of fleas or other external parasites?		
Safety	Is the cage free of sharp edges or wires that could trap a paw or claw? Is the animal protected from others who may be dangerous or prevent access to food and water? Are intact males separated from other intact males and intact females?		
Proper shelter and protection from the weather	Is the animal protected from rain, snow, cold, heat, wind, and any other extremes of weather? Does the shelter allow it to maintain normal body temperature?		
Proper veterinary care and sustenance	Does the animal appear healthy (no sneezing, no discharge from the eyes, no hair loss or excessive scratching, no diarrhea, no injuries or lameness, normal body weight)? Are the animals spayed and neutered? Are there records indicating regular checkups or vaccinations?		

We thank Dr. Gary Patronek and the Animal Rescue League of Boston for making this checklist available.

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76-9-301. Cruelty to animals.

(2) Except as provided in Subsection (4) or (6), a person is guilty of cruelty to an animal if the person, without legal privilege to do so, intentionally, knowingly, recklessly, or with criminal negligence:

(a) fails to provide necessary food, water, care, or shelter for an animal in the person's custody;

(b) abandons an animal in the person's custody;

(c) injures an animal;

(d) causes any animal, not including a dog, to fight with another animal of like kind for amusement or gain; or

(e) causes any animal, including a dog, to fight with a different kind of animal or creature for amusement or gain.

(3) Except as provided in Section **76-9-301.7**, a violation of Subsection (2) is:

(a) a class B misdemeanor if committed intentionally or knowingly; and

(b) a class C misdemeanor if committed recklessly or with criminal negligence.

(4) A person is guilty of aggravated cruelty to an animal if the person:

(a) tortures an animal;

(b) administers, or causes to be administered, poison or a poisonous substance to an animal; or

(c) kills an animal or causes an animal to be killed without having a legal privilege to do so.

(5) Except as provided in Subsection (6) or Section **76-9-301.7**, a violation of Subsection (4) is:

(a) a class A misdemeanor if committed intentionally or knowingly;

(b) a class B misdemeanor if committed recklessly; and

(c) a class C misdemeanor if committed with criminal negligence.

(6) A person is guilty of a third degree felony if the person intentionally or knowingly tortures a companion animal.

Dr. Marie McCabe, a distinguished veterinarian with the American Humane Association has agreed to serve as a resource should you have questions about particular cases that may involve animal welfare issues. She can be contacted at:

Marie S. McCabe, DVM

Vice President

Human-Animal Bond Division

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