

Vet Detectives: Forensic veterinarians help examine beastly crimes

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In the cool early morning of July 31, 2021, Elizabeth Pearlman sits in a car at a staging area, waiting for law enforcement to serve a search warrant at a blue house on Long Island, New York.

Once the scene is secured and suspects removed, Pearlman enters the home, which has a tidy front yard and looks like somewhere an elderly aunt might live.

Pearlman, a forensic veterinarian for the American Society for the Prevention of Cruelty to Animals, walks in with a teammate who video records every detail at this suspected large-scale dogfighting location, one of 13 simultaneously being searched across the state as part of a monthslong investigation.

Dogfighting is a blood sport. Dogs are trained from puppyhood to be aggressive in preparation for violent brokered fights that are considered entertainment. It is a felony offense in all 50 states and often associated with other criminal activities such as gambling, drugs and weapons possession. Often, dogs that are injured or have underperformed are killed.

When Pearlman and her teammate enter the kitchen, they find a stockpile of medical supplies—medications typically used for cows and pigs, an unopened bottle of an injectable antibiotic, various pills, and a scalpel and other surgical equipment. Other teams follow them, taking photos and meticulous notes. The ASPCA's own lawyers also are on-site.

Back outside, a utility van sits in the driveway. At first glance, nothing seems odd, but closer inspection reveals blood splatters inside. The team's crime scene analyst tests it on the spot. It is dog blood. Next, they unroll a carpet found next to the truck. It's covered with bloodstains, teeth and animal nails. Pearlman knows that dogs are trained to hit each other hard, head-on, often knocking out their teeth, and rugs are used to increase traction, which can pull out the fighting dogs' nails.

Credibility

Forensic veterinary investigations are a growing force in animal law, with vets working at the intersection of law and veterinary medicine, experts say. The animals might be victims, perpetrators or witnesses in cases ranging from animals attacking people, to animal abuse and neglect, to puppy mills, to intimate partner and child abuse. (See "Animal Abuse and Domestic Violence Can Go Hand in Hand.")

Any vet can conduct the work, but a small number specialize in forensics full time.

"We are trained as vets to make diagnoses, interpret animal behavior and express our opinion on suffering," says Martha Smith-Blackmore, president of Forensic Veterinary Investigations in Boston. "What is different about the forensic veterinarian would be an investigative mindset, being well-informed on court processes, and having a good understanding of biases and how to keep them in check.

“It’s our role to inform the courts so that justice can be served,” Smith-Blackmore adds.

Lawyers and veterinarians must work closely. “Animals are in this really unique position because they are the victims of the crime, but they are also the evidence of the crime. That evidence can disappear very quickly,” says Delcianna Winders, an associate professor of law and the director of the Animal Law and Policy Institute at the Vermont Law & Graduate School. “The lawyer knows what the standard of proof is, what kind of evidence is needed, but the veterinarian is the one who’s able to actually assess and document it.”

On any given case, the scope of the vet’s work runs from crime scene investigations, lab work, animal autopsies and report writing to serving as an expert witness in court.

“Forensic veterinarians are the experts that have the training, the experience and the credibility to speak to things like the pain and suffering that the animal has been going through,” says Emily Lewis, managing attorney for the Criminal Justice Program at the Animal Legal Defense Fund. “They can speak to specific words that are in animal protection statutes, like ‘cruelty’ and ‘necessary and adequate care.’ And they can speak to the severity of an injury, which can make the difference between charges.”

Tricky dance

On Long Island in Suffolk County, Pearlman enters the garage, taking notes. There, 13 dogs housed in cages lined with sawdust bedding aggressively bark. None has food or water. Behind that building, hidden from passersby, five more dogs growl behind chain-link fences. Most have intense sores on their paws from standing in the filth of urine and feces along with deep scars consistent with those found on animals used in dogfighting.

As a vet, it’s Pearlman’s duty to care for the animals, but she also is gathering evidence. It’s a tricky dance. She knows the documentation must be airtight and stand up to court-tested challenges. The team conducts quick exams on each animal.

Ultimately, law enforcement serves warrants at 12 other locations in New York plus sites in Connecticut and Massachusetts. In total, 89 dogs are rescued, and 21 defendants are charged in four separate indictments.

'Incomprehensible violence'

Interstate animal fighting has been a federal crime in the U.S. since 2007, and the Parity in Animal Cruelty Enforcement Act, passed as part of the 2018 Farm Bill, made it illegal in U.S. territories as well. In 2016, the FBI started tracking animal cruelty crimes as felonies.

Each state has its own animal cruelty laws. “A veterinarian certainly needs to be aware of the statutes in their jurisdiction,” Smith-Blackmore says.

In 2017, Anthony Pastor, a corporate lawyer in New York City, was on trial for felony aggravated cruelty to animals, among other charges, in the death of his girlfriend’s poodle, Snoopy. During the trial, another ex-girlfriend came forward to testify that her dog, too, mysteriously died at Pastor’s Upper West Side home.

“His allegation was ‘I didn’t do it—the dog walker did it,’” says Elizabeth Brandler, the legal advocacy senior counsel at the ASPCA in New York. “Our forensic vets were able to say no, that’s not what happened.”

A necropsy, or an animal autopsy, revealed that 4-year-old Snoopy suffered nine broken ribs, a pulverized kidney and massive internal bleeding. Those types of injuries didn’t align with the time frame of Snoopy being with the dog walker, Brandler adds.

Whatever happened to Snoopy “had to have been extremely severe and would have caused all of these injuries leading to the dog’s death within a matter of hours,” she says.

After Judge Robert Mandelbaum said the crime “showed almost incomprehensible violence and malice,” Pastor was sentenced to two years in prison. He also was disbarred.

“That was especially satisfying,” Brandler adds.

Dogs in cages

Caged dogs bark inside suspected dogfighting operation in Suffolk County, New York. (Photo courtesy of ASPCA)

High-profile lessons

Forensic veterinary medicine gained national attention in 2007, with the high-profile Michael Vick dogfighting case centered on the Atlanta Falcons quarterback’s Bad Newz Kennels in Virginia. The case became a learning opportunity for federal investigators working with forensic vets like Austin, Texas-based Melinda Merck.

“They were open,” she says. “They were asking me, ‘What can you do if we exhumed the dogs? What could you find?’”

What she found was evidence in the dogs’ bones proving they had been hanged and signs of trauma in their decomposed tissue. This helped build the case that the dogs not ready to fight were killed “by hanging, drowning and/or slamming at least one dog’s body to the ground,” according to an 18-page indictment filed in the U.S. District Court for the Eastern District of Virginia, and that these dogs were sometimes killed by gunshot or electrocution.

Vick pleaded guilty to federal dogfighting conspiracy charges and was sentenced to almost two years in federal prison. He agreed to pay nearly \$1 million for the care of the pit bulls seized from his dogfighting operation.

Workers helping a chained dog

After an investigation, dogs removed from the Suffolk County location were eventually awarded to the American Society for the Prevention of Cruelty to Animals. (Photo courtesy of ASPCA)

Animal CSI

Law enforcement will typically bring forensic vets into cases when animals could be involved, just as they approached the ASPCA for support in the Suffolk County case.

Next, the animal group's lawyers and investigators examine the case, ensuring the warrant is as clear as possible and includes things like the handling of deceased and unborn animals, excavations of bodies and temporary housing for animals seized, Pearlman says.

Then local law enforcement and the forensic vets make sure they are clear on expectations and on-site logistics as the warrant is served, Pearlman adds.

"It's a parallel investigation, but separate," says Rachel Touroo, the ASPCA's senior director of veterinary forensics. "It's important that the veterinarians remain neutral, objective and independent in their findings and that we fairly and accurately document evidence."

While the vets' tasks are similar to those of human forensic pathologists, animal and human cases can differ in scope and scale.

"On human crime scenes, you have one species to deal with," Touroo says. "I've had dogfighting cases where we get on scene and there are also emaciated horses. You have to be a jack of all trades."

Human cases typically have one or a few victims, but animal cases can have hundreds or even thousands.

"The biggest case we've worked on was 4,000 chickens in a cockfighting case in upstate New York," she adds. "When you're dealing with thousands and thousands of animals, it can become very chaotic." Dozens of vets assisted on that 2015 takedown, known as Operation Angry Birds, conducting forensic exams, providing ongoing medical care at a temporary shelter and euthanizing birds that could not be placed.

There are other challenges. Normal animal behaviors—like dogs and cats wagging their tails, licking wounds and grooming fur—can unknowingly tamper evidence. In addition, vets triage the animals and provide emergency care on-site.

"There's no better evidence as to the cruelty and neglect than a medical opinion as to what the condition is," says Jane McBride of Springfield, Illinois, founder and president of Illinois Humane and a former chair of the ABA Tort Trial and Insurance Practice Section's Animal Law Committee.

Custody hearing

A search warrant grants law enforcement officers the authority to seize an animal as part of a criminal investigation, just as it grants them the authority to seize any other piece of evidence in a criminal investigation.

"The difference is with animals, they require ongoing care, so they are brought to an animal shelter for housing and care pending the criminal process, whereas other evidence gets placed in a police warehouse or other secure facility," the ASPCA's Brandler says.

In the Suffolk County dogfighting case, Pearlman provided a list of the medical conditions to a team of local vets and a list of tests needed to confirm the diagnoses. The shelter team provided further assessments and ongoing care. They will pass along information to Pearlman, who will consider it while writing her final report, she says.

To transfer ownership or allow for adoption to avoid keeping animals confined throughout the course of sometimes-lengthy trials, the forensic vets work with the attorneys and courts.

“Oftentimes because they’re both living beings and evidence, animals can end up in limbo,” says Winders, a vice chair of the ABA Tort Trial and Insurance Practice Section’s Animal Law Committee.

“Most states have a preconviction disposition law, which will allow either your prosecutor, your county attorney, to come in and say, ‘Hey, judge, we want these animals to be forfeited. These are the reasons why, and this is the proof,’” Brandler says.

A 2011 ABA resolution urged the development of laws and policies to ensure humane treatment and disposition of seized animals. This recommendation calls for a timely process to determine the disposition of the animals and for prompt transfer of the animals to an appropriate rescue organization or adoptive home.

The Suffolk County dogs had a custody hearing, “so I was able to testify about my time with the dogs and what I saw in my professional opinion,” Pearlman says. The dogs were awarded to the ASPCA.

Elizabeth examines a dog

Elizabeth Pearlman of the ASPCA examines an animal removed from a property in Ellis County, Texas. (Photo courtesy of ASPCA)

Lab work

Once evidence has been collected, the more intensive lab science begins.

Just as in human cases, samples—often including the animals’ corpses—are sent to laboratories, where vets analyze DNA, use imaging techniques like CT scans and radiographs, analyze paw prints and perform forensic necropsies.

Sometimes the results are surprising, says Adam Stern, a professor of veterinary forensic pathology at the University of Florida and a veterinary forensic consultant. “Take, for example, a case where someone says the dog was hit by a car,” he says. Stern might do a CT scan before conducting the necropsy, noting the findings both inside and outside the body as he writes up his conclusions. “We learned it was not hit by a car,” he says. “That dog actually had a gunshot wound in it.”

The next step is to write up a report to clearly spell out all the evidence in plain language accessible to laymen and lawyers.

“These cases take months to write,” Pearlman says, with some large-scale investigations resulting in reports topping 300 pages.

The forensic vet’s job is not to be an advocate for the animal but to be a scientist.

“I keep myself ethically unbiased,” Pearlman says. “The more information that I get, the more puzzle pieces that I get, the more scientific-based information that is supported with the casework, the better I can come to a conclusion that is able to withstand the court.”

“If you write a good report, most of the time that can lead to a plea agreement,” Merck says. “Most attorneys do not understand animal evidence, and they do not understand necropsy or animal autopsy reports. It’s an important role to explain what they’ve got, where their issues are, and help the defense attorney to understand and maybe negotiate a plea.”

Respected witnesses

If the case does go to trial, vets offer expert testimony.

“In court, I’ll be asked, ‘Doctor, was this cruelty?’” Touroo says. “Cruelty is a legal determination, not a medical determination. I often say, ‘Here’s what I’m seeing medically’ and bring it back to my area of expertise.”

Prosecutors in particular understand that using vets as witnesses helps the judge or jury understand the evidence, says Michelle Welch, a senior assistant attorney general and the director of the animal law unit for Virginia’s attorney general’s office.

“I put the veterinarian on to explain that the scarring on that pit bull is all to the front—the front of the legs, the head and the front of his chest,” she says. “That’s not normal for two dogs getting in a scuffle over food. That is systematic dogfighting.”

Animal law attorneys say forensic veterinarians are respected as witnesses.

“In court, the vets are on par with firefighters—juries inherently trust them,” says the Animal Legal Defense Fund’s Lewis co-editor of the textbook *Animal Cruelty Investigations: A Collaborative Approach from Victim to Verdict*.

“I encourage lawyers who do animal cruelty cases to use vets and use them early. For vets, I always want to remind them of their oath—to protect the health and the welfare of animals and prevent suffering. They do have a duty, in my mind, to report animal cruelty when they see it.”

For Pearlman, the Suffolk County case reaffirms that forensic veterinary work is her calling.

“It might sound a little foofy, but we’re giving these animals a voice,” she says.

“No animal deserves to be continually attacked and fighting for its life and in a stressful environment,” Pearlman says. “To be able to hold somebody accountable for the maltreatment of an animal is something that I strongly pride myself on.”