ANIMAL HOARDING
AN OVERVIEW OF THE ISSUES AT THE INTERSECTION OF ANIMAL MALTREATMENT AND MENTAL HEALTH

Canadian Federation of Humane Societies
April 2016, Toronto, Canada

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Disclaimers

• Nothing in this presentation should be construed as legal advice
• Consult with your prosecutor or other counsel for specific guidelines on individual cases
• The editors (of which I am one) of the book “Animal Maltreatment: Forensic Mental Health Issues and Evaluations” receive royalties from book sales
• Apologies ~ the content is US-centric to some degree and unknown what can be generalized to Canada

Demographics are better described

➢ Forget the stereotype - people engaged in animal hoarding include:
  ➢ Men
  ➢ Married individuals
  ➢ Intergenerational
  ➢ Families with young children
  ➢ “White collar” professionals, including veterinarians/vet techs/nurses, physicians, other health care workers
  ➢ Shelter/rescue/animal control workers
  ➢ Institutional/group activity ~ even less well understood

“LINK” or “One Health” issues may be present and facilitate interdisciplinary solutions

➢ 12 – 15 house trailers stacked to the ceilings with junk, trash and debris, crawling with cockroaches
➢ ~360 animals, many of them emaciated, injured and suffering mange
➢ Six minor children, ages 1 – 11, covered in insect bites, were removed from the property by state welfare workers
➢ Property owner and her adult children were charged with two counts of felony child endangerment and convicted

Reported by Associated Press, St Louis, Missouri, 2008
Evidence for mental health issues

- Magical thinking
- Delusional thoughts
- Severe lack of insight
- Out of touch with reality

In some, but not necessarily all, aspects of daily life

Cat hoarder runs animal rescue group and gets 60 days in jail

A 48-year-old woman was arrested for animal cruelty for housing 69 cats in a parked U-Haul van without ventilation, food, or water.

"The District Attorney said his fate was avoidable and a crisis of his own making. He refused outside help or treatment and would not alter his belief that he was caring for these cats."

Elkmont Woman Faces 40 Counts of Animal Abuse for Dead Dogs in Freezer

April 6, 2010

This weekend, investigators found three freezers full of over 40 dead dogs. 29 severely emaciated other dogs were found.

"When asked why she did this, she couldn't really explain other than she believed the devil was involved in killing her animals."

DSM-5 hoarding disorder

- Persistent difficulty discarding or parting with possessions, regardless of their actual value
- The difficulty discarding possessions results in the accumulation of possessions that congest and clutter active living areas and substantially compromises their intended use
- The hoarding causes clinically significant distress or impairment in social, occupational, or other important areas of functioning (including maintaining a safe environment for self and others)
- The hoarding is not attributable to another medical condition and symptoms is not better accounted for by the symptoms of another DSM-5 disorder
- Animal hoarding mentioned under "Features supporting diagnosis"

An unmet need for mental health services

"My sister fits the profile of a hoarder who is close to a major meltdown. She has about 80 dogs, 13 cats, puppies, pregnant dogs, a house in disarray, a severe recurrent depression, PTSD, a borderline personality disorder, and our family is at the end of energy and resources. I have talked to all available agencies: the humane society, social services, physicians, my sister's social worker, psychiatrists, veterinarians, etc. Now, I am disappointed that I have found very little help to change this situation. Animal hoarding with accompanying mental illness is devastating to all parties, especially the innocent animals."

Review

COMPARISON OF OBJECT AND ANIMAL HOARDING

Randi O. Front, Ph.D.,* Guy Perroncick, M.D., Ph.D., and Elisabeth Rosenfield

Recent research has highlighted the persistence and harmful consequences of hoarding, and investigators have proposed inclusion of hoarding disorder in DSM-5. An unanswered question about the proposed disorder is whether people who hoard animals would meet diagnostic criteria for it. This article discusses the similarities and differences between object and animal hoarding.

Animal hoarding can be defined as the accumulation of a large number of animals and a failure to provide minimal standards of nutrition, sanitation, and veterinary care and to act on the deteriorating condition of the animals (including disease, starvation, or death) and the environment (e.g., severe overcrowding, extremely unsanitary conditions)

Animal hoarding may be a special manifestation of hoarding disorder. Most individuals who hoard animals also hoard inanimate objects

The most prominent differences between animal and object hoarding are the extent of unsanitary conditions and the poorer insight in animal hoarding

Features supporting diagnosis

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DSM-5 508.3 (F42)
Diagnostic uncertainty is still present

Mental illness is rarely exculpatory

What are the implications of DSM-5 mentioning animal hoarding?

Laws requiring psychological evaluation

Forensic evaluation is not therapy

Forensic psychology: the intersection of law and mental health
Examples of forensic assessments for legal competency

- To confess to a crime, waive Miranda rights or right to legal counsel
- To stand trial /insanity defense
- For dangerousness
- To make medical treatment decisions
- For self-care / property care
- For child care / parenting competency

Heilbrun, Grisso, Goldstein, Foundations of Forensic Mental Health Assessment, Oxford University Press, 2009

No legislative guidance for forensic assessment of people maltreating animals

- Legislatures did not specify what court should learn from this process or what should be accomplished
  - Detect dangers to public safety?
  - Detect and treat mental illness?
  - Identify dangerousness to self and others? Does “others” include animals?
  - Advise on animal disposition decisions and/or future ownership?
- No validated forensic assessment instruments specific to this problem exist
- Forensic mental health professionals largely unaware of animal maltreatment and human-animal bond issues

Lacey, Grisso, Patronek, “Psychological Evaluation of Animal Maltreatment Offenders”, Oxford University Press, in press

How should we think about ‘intent’?

- Is it only a direct intent to harm a particular animal in a particular way at a particular time and place?
  .........OR........
- Can we take into account a series of connected, sequential, carefully considered decisions to act or fail to act when those actions or failures could reasonably be foreseen to cause harm?
Therapy also remains a frontier

- There are no validated regimens for any form of animal maltreatment
- Who is therapy appropriate for?
  - Child reenacting her own abuse or witnessed abuse
  - Batterer looking to control spouse or partner via animals
  - Sadist who enjoys inflicting suffering for its own sake
  - Hoarder who lacks insight to recognize the suffering inflicted
  - Person with anger management/control issues
- What are the goals of therapy? Is “cure” possible?
- What timelines are feasible, and what does “success” look like?
- What are the implications for animals in this process?

Challenges for mental health professionals

- Significant co-morbid diseases likely
- Psychopathology poorly understood, heterogeneous
- Object hoarding not suitable for novice clinicians
- Few therapists trained in object hoarding, none in animal hoarding per se
- Drug therapy??
- Clients have poor insight, low motivation, high ambivalence and treatment-interfering behaviors
- Therapists have little training in the human-animal bond
- Reconciling duty to patients with humane responsibilities to animal victims

Due to respect for individual autonomy, competent adults may be allowed to live in conditions under which it would be unfit/illegal to house animals.
If you take the cooperative road....

- Convey how you are concerned about welfare of animals and hoarder
- Attend to the person’s needs for “comfort” – don’t push too hard / fast  (a bit like socializing a feral cat!)
- Express positive reinforcement for even minor steps to improve
- Put aside urgency to “fix” and avoid any indication of taking charge
- Await readiness or expression of being conflicted before discussing downsizing

From recommendations by Jane N Nathanson, Licensed Rehabilitation Counselor and HARC member

Psychology of animal hoarding

- Originally attempted to understand it through the lens of object hoarding, which has many parallels, and originally thought of as an OCD-type disorder
- Object hoarding now understood to have little in common with OCD in most cases
- No formal studies based on actual psychological / psychiatric evaluations and diagnosis of animal hoarders yet published
- Case histories and field experience suggest numerous recurrent themes

Recurring themes in animal hoarding

- Unshakable belief they are saving, rescuing, or caring for the animals
- Profound compulsion to maintain/increase collection despite ample evidence of failures to provide care
- Childhood history of unstable, neglectful, abusive, absent, and/or inconsistent parenting, often with very chaotic, transient lifestyles
- Difficulty establishing and maintaining stable interpersonal relationships as an adult
- Trauma (often multiple, severe traumatic events such as sexual abuse/assault, parental abandonment, death/suicide/witnessed events)


Appreciation of the role of trauma

- Indifferent, cold, unresponsive or abusive caregivers lead to disordered attachment styles
- Punitive or degrading experiences distort the sense of self-worth
- Difficulty connecting with others
- Attachment behaviors are reorganized into controlling strategies and manipulation
- Animals replace people / things as a source of comfort, safety and security

Human-animal bond in animal hoarding

- Animals can fulfill important psychological roles which help evoke, maintain, or positively affect a person’s sense of self
- The person may see the animals as extensions of themselves, and lack the ability to empathize with them or to understand what they feel or need as distinct individuals in their own right
- Person’s beliefs about the relationship, not objective reality, determines the role – animals become captives in a one-sided relationship
- Loss of the animals can result in fragmentation, disintegration, and depression


Impaired mentalization model

- Mentalization is a form of emotional knowledge that involves being able to appreciate the reality of others (including animals)
- Attachment trauma undermines mentalization, particularly in the context of intense emotions associated with other attachment relationships
- Adults with a history of childhood attachment trauma often have acquired inability to appreciate how others think and feel
- Mentalization can become deficient or distorted e.g., (unrestrained imagination)
- Either way, reality becomes defined by projection of a person’s thoughts and beliefs

Fonagy et al., 2003; Bartholomew & Horowitz, 2003; Olsen & Fonagy, 2003; Fonagy & TARGET, 2006; Fonagy et al., 2006

Addiction model

- Unsatisfactory attachment during childhood leaves a person vulnerable to addictive-type behaviors in an effort to self-repair internal feelings of emptiness and searching external sources for gratification
- Compulsive caregiving can be a manifestation
- Just as with drugs, there is a bottomless pit of need that can only be temporarily met by the behavior
- “Because a compulsive caregiver seems to be attributing to the cared-for all of the sadness and neediness that she is unable or unwilling to recognize in herself, the cared-for (person) can be recognized as standing vicariously for the one giving the care.”


Early trauma changes neurobiology

- Reprograms the glucocorticoid & noradrenergic stress response system
- Alters brain size, myelination, synaptic connections
- Increases risk for clinical disorders and personality disorders
- Impairs ability to recognize basic emotions

Lee et al., Curr Psychol Rep 2006; 8:43 – 52; Teicher MH et al., Psych Clin NA 2002; 25:397 – 426

Results:

Abused children over-identified the emotion of anger vs. children who had not been abused

Early childhood experience (neglectful, abusive, inconsistent parenting), and/or genetic, fetal, psychosocial, environmental factors

Fertile Soil for mental health problems

Disordered attachment style; impaired mentalization ability with respect to attachment relationships

Human relationships inadequately suffering stressful life events; Emotional pain, loneliness, fear of abandonment

Animals a conflict-free relationship, acceptance, dependability, availability

Self-reparative efforts via relationships with animals; reflect back desirable self-image

Compulsive excessive caregiving of animals; control-based strategies

Animal neglect +/- Self-neglect

Human relationships inadequately suffering stressful life events; Emotional pain, loneliness, fear of abandonment

Triggering events; stress, trauma

Heightened sense of identity, self-evaluation, control

Coping skills insufficient; Carrying capacity exceeded

Falsely re-met animals’ needs; +/- dissociation

Animal neglect +/- Self-neglect
Hoarding as pathological altruism

“What we value so much, the altruistic good side of human nature, can also have a dark side. Altruism can be the back door to hell.”

Explanations not mutually exclusive

- Attachment trauma
- Impaired relationships
- Poor insight
- Inability to control compulsive behavior
- Need for safety, self-esteem from external sources
- Maintaining control becomes all-encompassing
- Unknown mix of co-morbid psychological diagnoses
- Definitive characterizations need to be confirmed....

Conflicting legal, biological, sociological and moral status of animals

Animals have no legal status as victims

- Technically cruelty to animals is a crime against the state
- Prosecutor represents the interests of society as a whole, not the interests of the victim
- Crime victim legislation or amendments to state constitutions are available to influence the path the criminal justice system takes for human victims
- Animals not included in this definition, and thus are treated more akin to inanimate evidence that must be preserved
- Some prosecutors/courts do attempt to account for the interests of animals, but it is not mandatory

Animal hoarding laws have not helped

- So far, just Hawaii and Illinois in USA
- Still require elements of animal cruelty/neglect be proved for each individual animal
- Don’t provide any additional tools or novel approaches for prosecutors and may create problems that did not previously exist
- Clinical descriptions of animal hoarding may be vague and/or in conflict with legal definitions of criminality, and open up constitutional challenges
- Numerosity requirement (vague vs. brite line) could create a legal black hole

Pennsylvania HB 860 summary

- “This legislation provides that a person found guilty of the offense of animal hoarding shall be subject to an evaluation by a mental health professional”
- “If the court finds sufficient evidence that the defendant has suffered from a mental health disability, it shall order the defendant to undergo treatment and submit a report concerning such treatment”
- “Upon review, if the court deems treatment successful, it shall order forfeiture and prohibition of later possession of all animals as well as the expungement of the complaint and the arrest of the defendant”
From hunger, thirst, discomfort, pain, injury, disease
From fear and distress

To express normal behavior

Yes
No

A life not worth living

Typical responses

Competent Care
Animal welfare safeguarded

Borderline Care
Animals at risk

Incompetent Care
Animal suffering present

A gap in options....the central problem in hoarding

Quality of life

From hunger, thirst, discomfort, pain, injury, disease

High

Yes
Yes
Yes
Yes
Yes

Good

Yes
Yes
Yes
No
Yes

Borderline

Yes
No
Yes
Yes
No

A life worth avoiding

A life not worth living

Neuroscience is recognizing the importance of subjective / emotional states in animals

Negative emotional and mental states in animals are recognized

Fear
Anxiety
Sadness

Irritation
Phobia
Bitterness

Starvation
Boredom
Anguish

Sickness
Depression
Mental illness

Frustration
Pain
Paranoia

Fatigue
Distress
Despair

Thirst
Nausea
Torment

Loneliness
Longing

Animal models of human psychological suffering are extensive

• Eating disorders
• Anxiety disorders
• Psychogenic cardiovascular disorders
• Post-traumatic stress disorder
• Obsessive-compulsive disorder
• Severe life stress
• Depression

Coming Tuesday:

Neuroscience is recognizing the importance of subjective / emotional states in animals

Negative emotional and mental states in animals are recognized

Animal models of human psychological suffering are extensive

Coming Tuesday:
A wide variety of Quality of Life scales have been published for clinical practice.

Legal definitions of cruelty are slowly expanding

Puerto Rico Act 154, Ch. 1, Sec. 2 (2009). Definitions

n. “Abuse”.—Means all acts or omissions of a person, whether or not the custodian, which cause or places the animal at risk of sustaining harm to its health and to its bodily and/or emotional integrity.

Emotional maltreatment of children is also an emerging area

- Research is just beginning to establish:
  - Prevalence
  - Definitions
  - Measurement issues
  - Conceptual framework for understanding

Lessons from child protection

- Children are unsafe when:
  - Threats of danger exist within the family, and
  - Children are vulnerable to such threats, and
  - Parents have insufficient protective capacities to manage or control those threats

Goal is to prevent a situation caught early from deteriorating further

Competency assessment principles

- Incompetence constitutes a status of the individual that is defined by functional deficits (due to mental illness, mental retardation, or other mental conditions) judged to be sufficiently great that the person currently cannot meet the demands of a specific decision-making situation, weighed in light of its potential consequences.
Much of the skill sets are already familiar to forensic mental health assessors

- Providing physical care
- Maintaining hygiene
- Protecting from hazards
- Providing necessary preventive and remedial health
- Ensuring an appropriate social and emotional environment
- Demonstrating the ability to exercise reasonable judgment in decision making, with due consideration of consequences of actions

Guidelines for Conducting Assessments of Capacity

Does this person’s level of decisional ability match the demands of the specific situation with which they are faced?

Skill (capacity, competency?) to care for populations is likely non-linear

Number of animals to care for

Threshold of good intentions?

“Mom & Pop”

“Rocket Science”

Guidelines for Standards of Care in Animal Shelters

Every sheltering organization has a maximum capacity for care, and the population in their care must not exceed that level. Factors that determine capacity for care include: the number of appropriate housing units; staffing for programs or services; staff training, average length of stay; and the total number of reclaims, adoptions, transfers, release, or other outcomes.......

Operating beyond an organization’s capacity for care is an unacceptable practice.”

Blu 5.1 terms to consider when evaluating capacity for care for animals

Intrinsic capacity of the situation
- Use the learning curve: physical, emotional, agility with the number of species, and needs of the animals.
- Matching needs: in quality and specificity of species adequate to a group assessed what capacity can be expected.
- Potentially exposed to a high number of animals.
- Potentially exposed to high demand for particular species.
- Potentially exposed to a high volume of intake and out.

Custodian functional abilities
- Ability to assess, understand, and adequately apply the information about animal care.
- Knowledge of medical conditions, appropriate, consequences of behavior related.
- Experience of how to scale up and expand the operations are adequate with the levels who have worked in such a capacity.
- Experience of appropriate teaching of those that are affected.
- Can identify and provide training on animal care and management.

Custodian history and intentions
- How the animal is being managed and prepared.
- History and experiences, with quality animal care.
- Knowledge of when to look for the animal’s health.
- Experience of when to look for the animal’s health.
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Threshold of good intentions?

(http://www.sheltervet.org/assets/docs/shelter-standards-oct2011-wforward.pdf)

(http://www.ontario.ca/documents/summer2013/datasheets/0505ability.pdf)
New things to consider in search warrants

- Electronic records: search warrants in the age of social media
  - Claims of non-profit status
  - Pattern of behavior / deception
- What is NOT there – medical records
  - Claims of hospice/rehab work (treatment plans, daily rounds, medical records, drugs for pain and symptom relief, qualified personnel, dosing schedules, plans to quarantine etc)
- Preemptive strike on mental illness / impaired cognition defense
  - Attorneys will throw stuff at the wall and see what sticks; attempt to confuse pretend something is legally 'different' due to animals
  - Well-traveled legal territory with drunk driving, drug addiction, other kinds of mental illness
  - Look for evidence of sophisticated planning in other aspects of life – travel, investment, education, spending, hobbies, employment, care of other animals

When financial crimes are suspected

- Consider any and all information that can establish intent and a pattern of deceit
- Include records of animal ownership, sale, transfer, computer hardware, etc. in the search warrant
  - Adoption contracts or solicitations for funds listing claims of non-profit status
  - Petfinder listings of animals, claims of non-profit status, potential revenue
  - Computer hardware and software (laptops, tablets), bank statements, adoption receipts, cell phone records, email conversations
- Look for evidence of personal funds co-mingled with organizational funds

Hoardings-like conditions may indicate financial crimes

- Profiteering and tax evasion, rather than mental health issues, may be at the core of some hoarding-like conditions
- Tax evasion is a felony, fraudulent use of another organization’s tax status is illegal
- Animal cruelty is often a misdemeanor – therefore this avenue may provide more sentencing options
- Requires consideration of electronic records, financial records, social media postings, computer hardware, etc. in search warrants

Getting past the Catch-22

Psychologists say

“If the legislatures would tell us what the problem is, we could provide some solutions”.

Legislators say

“If the mental health community indicated there was a problem, we could think about a legislative approach”.

Researchers say

“I have a problem I think is important. Will someone give me some money to study it?”

Funders say

“Show me the data documenting the problem and we will give you some money to look into solutions”.

Restorative justice approach

According to Howard Zehr, restorative justice differs from traditional criminal justice in terms of the guiding questions it asks. In restorative justice, the questions are:

1. Who has been hurt?
2. What are their needs?
3. Whose obligations are these?
4. What are the causes?
5. Who has a stake in the situation?
6. What is the appropriate process to involve stakeholders in an effort to address causes and put things right?

In contrast, traditional criminal justice asks:

1. Who has been blamed?
2. Who did it?
3. What do the offenders (deserve)?

Restorative justice is also different from the adversarial legal process or that of civil litigation.
Tools to help you

Download the brochure at:

https://www.masshousing.com/hoarding-resources

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HOMES® Multi-disciplinary Housing Risk Assessment

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  - Mental health
  - Social support

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  - Housing
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  - Employment

- Structure & Safety
  - Physical access
  - Security measures

https://www.masshousing.com/hoarding-resources

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National Center for Prosecution of Animal Abuse

The National Center for Prosecution of Animal Abuse (NCAPA) is a program of the National District Attorneys Association (NDAA), created to support and the nation’s district attorney, prosecutor and law enforcement professionals in the enforcement of animal cruelty laws.

Download our brochure at:

https://www.masshousing.com/hoarding-resources

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Shelter Medicine for Veterinarians and Staff

Edited by Lila Miller and Stephen Zawistowski

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https://www.masshousing.com/hoarding-resources
Create your own educational checklist for human service workers

Thank You!
Questions?

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