

SEVEN TIPS for veterinarians reporting animal cruelty in Massachusetts*

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Be proactive: Form relationships with your local police department (PD) and animal control officer (ACO) now.

When you believe or suspect you have encountered a case of animal cruelty or animal fighting, call your contact at the PD to report your concerns. If your contact is not available, you can ask to speak to a detective.

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As a general rule, you do not need to call 911. Establish where the abuse may have occurred. Call the PD in that community and ask for a detective. Tell them you are a mandated reporter for suspected animal cruelty. You should call 911 if you think you, your staff, your clients or your patients are or might be in imminent danger.

Be sure your records, exams and tests are detailed and complete. Include any conversations you or staff had regarding the case. After reporting, don't be afraid to follow up with authorities.

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If the client refuses care, and they take the animal home in a suffering condition, call the PD for the locality where the animal lives and make a report. The PD or ACO can do a welfare check and the police have the ability to write a search warrant, and retrieve the animal if appropriate.

If your local officials are unresponsive, call the Animal Rescue League of Boston at (617) 226-5610 or the MSPCA at (617)522-6008. You may also call these agencies first.

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Be sure to keep detailed notes of when & what you reported, who you spoke with.

* These tips are guidelines and are not meant to substitute for legal advice.

Resources

1. **Chapter 112 of the MA General Laws, Section 58B:** A veterinarian who, while in the normal course of business, observes an animal whom such veterinarian knows or reasonably suspects has been the victim of animal cruelty prohibited under sections 77 or 94 of chapter 272 shall report said suspected animal cruelty to a police officer or special state police officer appointed under section 57 of chapter 22C.

A veterinarian duly registered under section 55 who reports, in good faith and in the normal course of business, a suspected act of cruelty to animals prohibited under said sections 77 or 94 of chapter 272 to a police officer or special state police officer appointed under said section 57 of said chapter 22C, shall not be liable in a civil or criminal action for reporting such act.

2. **Chapter 272 of the MA General Laws, Section 77.:** Whoever overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates or kills an animal, or causes or procures an animal to be overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly beaten, mutilated or killed; and whoever uses in a cruel or inhuman manner in a race, game, or contest, or in training therefor, as lure or bait a live animal, except an animal if used as lure or bait in fishing; and 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, and whoever, as owner, possessor, or person having the charge or custody of an animal, cruelly drives or works it when unfit for labor, or willfully abandons it, or carries it or causes it to be carried in or upon a vehicle, or otherwise, in an unnecessarily cruel or inhuman manner or in a way and manner which might endanger the animal carried thereon, or knowingly and willfully authorizes or permits it to be subjected to unnecessary torture, suffering or cruelty of any kind shall be punished by imprisonment in the state prison for not more than 5 years or imprisonment in the house of correction for not more than 2 1/2 years or by a fine of not more than \$2,500, or by both such fine and imprisonment.
3. **Chapter 272 Section 94** pertains to animal fighting.
4. *Practical Guidance for the Effective Response by Veterinarians to Suspected Animal Cruelty, Abuse and Neglect*, an AVMA publication. Available for free download at:

<https://ebusiness.avma.org/Files/ProductDownloads/AVMA%20Suspected%20Animal%20Cruelty.pdf>