

Retrospective study of cases of animal abuse and the importance of the veterinary expert

Abstract

Animal abuse is any act of mutilating or injuring wild, domestic or domesticated animals, whether native or not, which is a crime under Law 14.064/20. The growing demand for evaluations of these cases is in line with Law 5.517/98, which stipulated the exclusive competence of veterinary doctors for expert evaluations, reinforcing their importance in animal abuse crimes. The aim of this study was to evaluate and compare cases of animal abuse, to understand the need for a veterinary expert to be involved in determining a report. A retrospective study was carried out of reports finalized since 2020 by the Military Police of the city of Itajubá. The data showed that very few reports were assessed by a veterinary expert (5.50%/2 cases), while 94.50% (34 cases) did not receive expert cooperation. The cases associated with the arrest of the perpetrators accounted for 36.11% (13 cases) and 47.22% (17 cases) remained available, resulting in an increasing demand for finalization. Among the perpetrators involved, 62.85% were men (22 perpetrators) and 22.85% women (8 perpetrators), as well as their veracity in the practical case addressed representing the correct conclusion for judicial collaboration. Therefore, we conclude that it is important to consolidate the law and that it is necessary for a medical expert to participate in the specific determination of a report to collaborate in judicial decisions.

Keywords: Violence, sentencing, assessments, crimes, forensic veterinary medicine.

Volume 12 Issue 4 - 2024

Isabella da Costa Pinto,¹ Rodolfo Malagó²

¹Student in the Department of Veterinary Medicine, Itajubá University Center, FEPI, Brazil

²Teacher in the Department of Veterinary Medicine, Itajubá University Center, FEPI, Brazil

Correspondence: Rodolfo Malagó, Centro Universitário de Itajubá – FEPI, Av. Dr. Antonio Braga Filho, 687, Itajubá, Minas Gerais, Brazil, Tel +55 35 3621 8400, Email rodolfo.malago@fepe.br

Received: November 4, 2024 | **Published:** November 22, 2024

Introduction

Veterinary forensic medicine is gradually taking its place in court decisions related to violence and animal abuse. With the growing demand for evaluations of these cases, the use of veterinary medical experts has been emphasized in Brazil, helping the authorities to draw up reports and legal documents.¹ According to article 5 of Law 5.517/1968, the competence to carry out expert evaluations of animals is a private function of the veterinary doctor, which reinforces the importance and necessity of this profession's participation in legal cases, as well as allowing this professional to delve deeper into the study of the subject.² A veterinary medical expert collaborates through specific technical knowledge for all qualitative and quantitative analysis of a forensic area, orientation of crimes, denunciation and investigation, with their skills to clarify in a coherent way the facts imposed by the cases. All analyses can be made using expert reports, which are developed after careful monitoring of the animal's situation.¹ With the growing demand for reported cases, there was a need to amend the laws applied to this violence, which led to the creation of Law 14.064 on Animal Abuse Crimes in September 2020. This law certifies penalties for all offenders who commit any violence or mutilation against dogs and cats.³ The aim of this article was to survey cases of crimes involving the mistreatment of animals in the cities of Itajubá, Piranguçu, Piranguinho, São José do Alegre, Maria da Fé, Cristina and Pedralva, in the state of Minas Gerais, to classify them and explain the importance of the collaboration of a veterinary expert in judicial decisions against crimes involving the mistreatment of animals.

Material and methods

The retrospective study involved the cities of Itajubá, Pedralva, Brasópolis, Piranguinho, Cristina, Maria da Fé and São José do Alegre, in the state of Minas Gerais, considering the period after the creation of Law 14.064 on the Crime of Mistreatment in 2020. Initially, exploratory research involved the evaluation of qualitative

and quantitative data, to generate significant indices of cases of animal abuse, with the participation of the Civil Police and Veterinary Forensics. The cases were reported by the investigators in charge of the Itajubá Civil Police, which covers the other cities. All the personal information of the guardians or perpetrators of the action has been protected. A survey of the cases was carried out in order to select the incidence of each city, the way in which the crimes were carried out, in addition to separating them by gender to understand the incidence of cases/crimes, determining whether there was a police report, whether there was an expert or not and what the outcome was through the complaint, considered important characteristics and identification mechanisms described by Reis⁴ for interpreting the concrete data of a case. This study was approved by the Research Ethics Committee of the Fundação de Ensino e Pesquisa de Itajubá under protocol number 80283624.4.0000.5094.

Results

A total of 36 cases of animal abuse were analyzed in the cities of Itajubá, Pedralva, Brasópolis, Piranguinho, Cristina, Maria da Fé and São José do Alegre, from May 2022 to May 2024 (Table 1).

Table 1 Survey of animal abuse cases involving the cities of Itajubá, Pedralva, Brasópolis, Piranguinho, Cristina, Maria da Fé and São José do Alegre, state of Minas Gerais, from May 2022 to May 2024

Cities	Number of cases	Percentages
Itajubá	24	66,71%
Pedralva	5	13,88%
Brasópolis	2	5,55%
Piranguinho	2	5,55%
Cristina	1	2,77%
Maria da Fé	1	2,77%
São José do Alegre	1	2,77%

According to Law 9.605/98⁵ and the police report issued by the Itajubá Civil Police, cases of animal abuse (n=22/61.19%), abandonment (n=6/16.60%), possible poisoning (n=4/11.11%), sexual abuse (n=2/5.56%), theft (n=1/2.77%); and irregular transportation (n=1/2.77%) were identified. The evaluations also found that the perpetrators involved in the animal abuse cases were 62.85% male (22 men), 22.85% female (8 women) and 14.30% had not yet been informed of their gender. In addition, there was a separation of the use of expertise for the outcome of the case, with 5.50% (n=2) of the cases affirming the presence of an expert for evaluation and 94.50% (n=34) denying or affirming that expert evaluation was not necessary to conclude the case. The results obtained from the police reports show that 47.22% of the perpetrators remained at the disposal of the courts (17 cases); 36.11% were arrested (13 cases); 11.12% were unable to identify the perpetrator (4 cases) and 5.55% were arrested and released due to the presence of facts (2 cases).

Discussion

The largest number of complaints made and registered occurred in the city of Itajubá. This is probably because the point at which the Civil Police collects data, evaluates the cases and concludes them all takes place in the same city. This reflects society's growing concern about reporting animal abuse, as well as government authorities who have increased the penalties for the crime of animal abuse in the case of a dog or cat.³ It is also important to note that society is more informed about current legislation and is concerned about the welfare of companion animals.⁶ The growing number of men associated with the crime of ill-treatment of animals is related to arbitrary factors that qualify the series of cruelties, abuses and annihilations exposed to these animals, which are also considered defenseless, generating more violent beings who may in the future use firearms, becoming violent and associated with new crimes: such as drug use and attacking vulnerable people.⁷

Only two cases were attended by a veterinary expert. However, monitoring by a qualified professional is important to understand the assessment needs and collaborate with the conclusion of the facts. Because only the veterinarian is able and guaranteed by law to conduct the analysis using specific methods (Animal Welfare Expertise Protocol) and the crime scene anamnesis, facilitating understanding of the five freedoms described: freedom from hunger and thirst, freedom from discomfort; freedom from pain, disease and injury, freedom to express the natural behaviors of the species and freedom from fear and stress.¹ The number of cases that are available without finalizing the process is still high, highlighting the help of medical experts in preparing veterinary and expert reports and verifying the health of the animals.⁸

Conclusion

In this study, the evaluation of the cases by the police reports comprehensively confirmed the importance of consolidating the law and the need for the participation of a veterinary medical expert to specifically determine a report to collaborate in judicial decisions.

Acknowledgments

The authors would like to thank the Itajubá Civil Police team, represented by delegate Dr. Alexandre Valentim Boari de Souza, for collaborating with the cases available to carry out the project.

Conflicts of interest

The authors declare that they have no conflict of interest in the data presented in the article.

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