

# THE HOARDER

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# ANIMAL HOARDING DEFINED

- The accumulation of a large number of animals and a failure to provide minimal standards of nutrition, sanitation, and veterinary care and failing to act on the deteriorating condition of the animals and the environment.
- Official diagnosis in DSM-5

- **Four characteristics:**
  - **Failure**
  - **Inability**
  - **Obsessive**
  - **Denial**

# ANIMAL HOARDING

- Under-recognized community problem
- Affects both human and animal welfare
- Responsible for substantial animal suffering and property damage
- Associated with adult self-neglect and child neglect

# TYPES OF HOARDER

- Overwhelmed Caregiver
- Rescue Hoarder
- Exploiter Hoarder

# OVERWHELMED CAREGIVER



# RESCUE HOARDER



# EXPLOITER HOARDER





## THE LAW

- Varies from state to state and municipalities
- Illinois appears to be the only state that has statutory definition for hoarding
- Most others place limits on number of dogs or cats a person may own
- Most States place limits on dogs or cats a person may own

# THE LAW

- **510 ILCS 70/2.10 Companion animal hoarder (Illinois)**
- § 2.10. Companion animal hoarder. “Companion animal hoarder” means a person who (i) possesses a large number of companion animals; (ii) fails to or is unable to provide what he or she is required to provide under Section 3 of this Act; (iii) keeps the companion animals in a severely overcrowded environment; and (iv) displays an inability to recognize or understand the nature of or has a reckless disregard for the conditions under which the companion animals are living and the deleterious impact they have on the companion animals' and owner's health and well-being.

## THE LAW

- A.R.S. §13-2910 in Arizona
- § 8-3.09 Animal Hoarding Ordinance for City of Phoenix
- O.R.S. §§167.330; 167.325 (Oregon)

## A.R.S. § 13-2910

- (A)(1) Cruel Neglect or Abandonment, a Class 1 Misdemeanor
- (A)(2) Failure to Provide Medical Attention, a Class 1 Misdemeanor
- (A)(8) Cruel Neglect or Abandonment, a Class 6 Felony
- (A)(9) Cruel Mistreatment, a Class 6 Felony
- (A)(14) Domestic Animal Cruel Mistreatment, a Class 5 Felony

## PHOENIX ORDINANCE § 8-3.09

- Person commits hoarding if a person owns, possesses, keeps, harbors or maintains ten or more animals...
- Under circumstances injurious to the health or welfare of any animal or person...
- Class 1 Misdemeanor

# O.R.S. §167.330 ANIMAL NEGLECT I

- Intentionally, knowingly, recklessly or with criminal negligence:
  - Fails to provide minimum care for an animal in person's custody and control and...
  - That failure to provide results in serious physical injury or death to the animal; or
  - Tethers a domestic animal and that tethering results in serious physical injury or death
- Class A Misdemeanor

## O.R.S. § 167.325 ANIMAL NEGLECT II

- Intentionally, knowingly, recklessly or with criminal negligence:
  - Fails to provide minimum care for an animal in such person's custody and control; or
  - Tethers a domestic animal in the person's custody or control and the tethering results in physical injury to the domestic animal.
- Class B Misdemeanor

## ANIMALS AS SEPARATE VICTIMS

- *State v. Nix*, 355 Or. 777 (2014), vac'd on other grounds 356 OR 768 (2015)
- *State v. Hess*, 273 Or. App. 26 (2015)
- *State v. Gatewood*, 300 Or. App. 21 (2019)



# USE OF SEIZURE STATUTES

- Assists with removing animals from cruel and harmful environment
- High costs if statutes not used

# ISSUE WITH HOARDING OFFENSES

- Extremely high recidivism rate of close to 100%
- Often involve dependent victims i.e. minor children, the disabled, and elderly
- Defendant suffers from psychological and/or physical problems
- Lack of resources to house animals and investigate cases

# ISSUES CONTINUED

- Lack of knowledge or expertise from those investigating and prosecuting
- Lack of mental health treatment specific to animal hoarding
- Limited resources for probation
- Civil liability for agencies
- Public not educated on the health risks to the community
- The Link

# SOLUTIONS

- Inter-agency cooperation amongst law enforcement, animal welfare, legislature, etcetera
- Educate agencies as well as the community and create stakeholders
- Don't just view hoarded animals as the PROBLEM but rather view them as a SYMPTOM of the problem
- Create clear guidelines for response i.e. who does what and when!
- Take advantage of grants and training opportunities

- Utilize your civil forfeiture statute or code to help keep costs down
- If you don't have a civil forfeiture statute or code to utilize get one!
- Probation and mental health services and programs that specialize
- Animal Cruelty Diversion Program to educate

# RESOURCES

- Hoarding of Animals Research Consortium <https://vet.tufts.edu/hoarding/>
- Animal Legal Defense Fund <https://aldf.org/>
- ASPCA <https://www.aspca.org/>
- Humane Society both State and National <https://www.humanesociety.org/>;  
<https://www.azhumane.org/>
- National Sheriffs' Associations <https://www.sheriffs.org/>
- [www.NationalLinkCoalition.org](http://www.NationalLinkCoalition.org)

# AND MORE RESOURCES

- Association of Prosecuting Attorneys <https://www.apa-inc.org/>
- Justice Clearinghouse <https://justiceclearinghouse.com/>
- APAAC <https://www.apaac.az.gov/>
- NCOVAA <https://ncovaa.org/>

- Citations: “Animal Hoarding: Structuring interdisciplinary responses to help people, animals and communities at risk” Edited by Gary J. Patronek, Lynn Loar, and Jane N. Nathanson (2006)
- “Detailed Discussion of Animal Hoarding” Animal Legal & Historical Center, Michigan State University, Victoria Hayes (2010)