
OLR Bill Analysis

sHB 5037

AN ACT CONCERNING CROSS REPORTING OF CHILD ABUSE AND ANIMAL CRUELTY.

SUMMARY:

This bill (1) broadens the circumstances in which a state, regional, or municipal animal control officer (ACO) must file an animal abuse report with the Department of Agriculture (DOAG) commissioner and (2) requires the report to be written.

It expands the list of addresses the DCF commissioner must check against an address in a DOAG report.

It also requires:

1. the DOAG commissioner, starting by November 1, 2014, to include these additional reports in the monthly report he must already submit to the Department of Children and Families (DCF) commissioner;
2. DCF employees who, in the course of their work, reasonably suspect that an animal has been harmed, neglected, or treated cruelly in violation of the law, to report in writing instead of orally to the DOAG commissioner; and
3. the DCF and DOAG commissioners, starting by January 1, 2015, to report annually to the Children's Committee the number of ACO and DCF employee written reports of actual or suspected instances of animal neglect or cruelty they received.

EFFECTIVE DATE: October 1, 2014

EXPANDED ACO REPORTING REQUIREMENTS

Currently, an ACO must file a report with the DOAG commissioner only when the ACO both (1) reasonably suspects an animal is treated

cruelly in violation of the law and (2) files a verified petition with the court after taking custody of the animal based on probable cause that cruel treatment occurred.

The bill requires the ACO to file a report when he or she either:

1. reasonably suspects cruel treatment or
2. files a verified petition based on probable cause of: (a) illegally cropping a dog's ears, (b) inhumanely transporting horses, (c) selling, trading, or giving away a horse to work that is unable to do so, (d) leading, riding, or driving an animal on a public highway, (e) cruelty to poultry, (f) animal cruelty, (g) selling or giving a dyed fowl or rabbit, (h) using an animal, reptile, or bird to solicit alms or donations, or for other prohibited activities, (i) illegally docking a horse's tail, or (j) inhumanely transporting animals on railroads.

Current law requires the ACO to file the report as soon as practicable but no later than 48 hours after filing the court petition. The bill requires the ACO to file a written report within 48 hours of having the reasonable suspicion or filing a petition.

DCF COMMISSIONER REQUIREMENTS

By law, the DCF commissioner, within a week of receiving the DOAG report, must review it to see whether addresses linked to animal abuse match certain addresses. The bill:

1. requires her to broaden the scope of her search by comparing the addresses to those where DCF has an open child protection case, rather than an open child welfare investigation; and
2. provide the relevant information to the family's social worker instead of a DCF investigator.

Open child protective cases include all cases in the investigation stage as well as those receiving ongoing services from the department.

Investigations remain open for up to 45 days, but child protective cases may remain open for months or years.

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 12 Nay 0 (02/25/2014)