

A meeting regarding the pet overpopulation study started at 11:00 am at the home of Lillian Clancy and Donald Marro in Delaplane, VA

Lillian Clancy and Donald Marro have three full-time and several part-time contractors and volunteers working on the study.

Attendees:

Lillian Clancy

Donald Marro

Jeannette Allard/Central Virginia All Breed Rescue

Valerie Bannister/small feline rescue group

Kathy Baugher/Clancy Associates

Susan Blackley/independent

Pamela Brown/King George Animal Rescue League

Reggie Connaughton/Blue Ridge Bull Terrier Rescue

Terry Dunn/independent

Maureen Hill Hauch/Fredericksburg Kennel Club and Dog Owners Association

Jane Lanham/Joe's Promise

Anne Little/Animal Action Network

Eileen McAfee/independent

Mollie McCurdy/independent

Birgit Michael/ACO, Chesterfield County

Karey Mullins/Clancy Associates

Cheryl Phillips/independent

Glen Swain/Clancy Associates

Lana Westfall/Office of Senator Russell Potts

Samantha Whitesides/Middleburg Humane Foundation

Josseline & Rob Wood/Reston, VA

unable to attend:

Sandra Everson-Jones/Buckingham County Humane Society

Gerri Glass/Radford Pound Pals

Judy Harvell/Animal Welfare League of Northern Neck

Joyce Page/Animal Welfare League of Northern Neck

Introductions

Attendees introduced themselves and discussed their goals and reasons for coming, and involvement/experience with animal welfare.

## Agenda

### A. study elements

Don Marro explained what the study is hoping to achieve; the primary hypothesis is that there is a pet overpopulation problem in the Commonwealth of Virginia. Beyond this primary hypothesis, there is an assumption that euthanasia is the primary and preferred response of public agencies to this problem.

items below were discussed as part of the overpopulation study; each topic had a handout

#### 1. animal records

The Statewide Summary Reports for the years 2000 through 2003, issued by the State Veterinarian, were distributed.

##### comments:

numbers are qualified by the fact that some localities have not reported numbers despite the fact that the State Veterinarian's Office asks that all organizations (public pounds, humane societies and SPCAs, and rescues) file a report annually

these reports are a measure of the problem facing Virginia with respect to stray, relinquished, and abandoned animals, but they are not mandated and are often inaccurate

it was asked whether there are other places to get this data

it was reported that Augusta County shows a correlation between animals surrendered by owner to shelter/pound and euthanasia rates; wondered if this correlation held true in other localities

no uniform way of counting animals by each locality; for example, some don't count pit bulls, some don't count owner give-up with requests for euthanasia

website for the State Veterinarian's Office currently displaying lower numbers than those presented in the handout which came from the state

when the State Veterinarian was asked recently why these reports are compiled, he admitted that he did not know and does not monitor them

A. study elements (cont.):

2. animal control budgets

The study has to date determined at least \$31 million in taxpayer funds were being spent on animal control in the last budget cycle which doesn't include building depreciation and mortgage interest; some funds for s/n but source not clear.

comments:

figures presented are operating expenses and do not include other costs such as State Vet, staff and activities, facility depreciation or mortgage interest; if all calculated in, the amount spent state-wide could possibly be upwards of \$60 million per annum

3. public pounds which don't accept cats

A list of Virginia's public pounds which don't accept cats was distributed.

comments:

no law in the Commonwealth requires public pounds/shelters to accept cats

4. gas chambers

A list of facilities with gas chambers was distributed; data is based on reports furnished by the State Veterinarian's office; list good as of 6/3/04.

5. inspection reports of pounds

Two lists were distributed based on state-furnished information.

The first list was alphabetical, showing the last date of inspection (information good as of 6/3/04).

The second list included the same facilities sorted chronologically.

comments:

regarding who conducts inspections: the State Veterinarian's Office employs inspectors who are licensed veterinarians; amongst other things, inspectors check for cleanliness and general upkeep; waste of money because veterinarians are not needed to check building upkeep; no requirement that inspections be done and when violations are discovered, penalties are not necessarily levied

mentioned was whether volunteers may conduct inspections

A. study elements (cont.):

5. inspection reports of pounds (cont.):

comments (cont.):

Eileen McAfee stated that conditions in many of VA's pounds/shelters are appallingly abusive; after reviewing Inspection Reports for all pounds/shelters in VA in 1999, she met with VDACS Commissioner Carlton Courter and presented him with a copy of the findings; she also talked to the former VA State Veterinarian, Dr. William Sims, gave him a copy of the review also, and asked why he did nothing to ensure pounds/shelters comply with VA's Animal Welfare laws

McAfee continued: Dr. Sims insisted that the Office of Veterinary Services is a "regulatory agency; not an enforcement agency"; McAfee stated this is simply not accurate; the State Vet has the power, authority and responsibility to ensure that Regulations, Codes and Laws are enforced; McAfee asked, even if the OVS was really just a "Regulatory Agency", what's the point of having regulations if they are not enforced?

McAfee added that a "Civil Penalties" Bill was subsequently presented to the General Assembly; this Bill was vehemently opposed by Dr. Sims, Teresa Dockery, and the VFHS; fortunately, this important animal legislation passed both the House & Senate unanimously and the Civil Penalties "Law" became effective 7/1/00; this new law authorized the State Vet to levy civil fines against localities with long histories of Animal Welfare Law violations and making no attempt to comply with them; any locality making a "good faith attempt to comply" was exempt from being fined; fines of \$1,000 per day per infraction may be levied

McAfee continued: because the effective date of the Civil Penalties law was delayed until 1/03, Page County was only fined for infractions occurring after 1/1/03; they could not be fined for animal cruelty issues which allegedly occurred one month earlier in December of 2002: the shooting of impounded animals including a shoebox full of 6 newborn kittens

per McAfee, Teresa Dockery and the VFHS successfully delayed the implementation of the Civil Penalties Law for 3 years by convincing the General Assembly that pounds/shelters "do not have the funds to build new facilities"; despite presentations by McAfee and others to the General Assembly that the animal cruelty issues in pounds/shelters were procedural, not structural, this important animal legislation did not go into effect until 1/1/03; a new building is only needed in a fraction of cases, less than 1%; the overwhelming number of violations involve abusive handling and inhumane euthanasia of animals; whether an impounded animal is abused in a new facility or an old one makes no difference to the animal

A. study elements (cont.):

5. inspection reports of pounds (cont.):

comments (cont.):

McAfee concluded by saying that many Inspection Reports do not reveal problems at pounds/shelters; many facilities shown to be in compliance with the law are actually not; only when caring staff, volunteers or private citizens come forward with eyewitness accounts of infractions, are we made aware of conditions

per Don Marro, at present, we know of no laws that protect whistleblowers; a goal of the study is to identify mechanisms available to individuals in whistleblowing efforts to improve the situation

it is hoped, as this group and its work becomes better known, that many people will stand-up and come forward with reports of abuses, knowing they have support

short discussion of whether there is a five-year (or one-year) statute of limitations on prosecuting individuals for animal cruelty violations

6. classified ads

A report was distributed that summarized ads for dogs for sale on one weekend in the Washington Post classified ads.

The report was based created using a spreadsheet which collected 272 ads from the Sunday, July 17, 2004 issue of the Washington Post in which at least 391 puppies were listed for sale. If each puppy advertised were sold, sales would have been a minimum of \$168,123. The average price of the puppies advertised was nearly \$830.00. Information is incomplete as many ads did not say how many puppies were available, and many prices were not listed in the ads.

The report also included ads found in The Virginia Pilot.

A. study elements (cont.):

6. classified ads (cont.):

comments:

it was pointed out that in Virginia you are required to have a business license and pay sales tax if you have a kennel with five or more dogs

question regarding why reputable breeders were not more active in driving out irresponsible breeders; irresponsible breeders are a significant problem

frustration expressed over AKC advertising puppy mill litters on its website; is a way for AKC to compensate for declining registrations

Maureen Hill Hauch asked that responsible breeders not be punished for the actions of the irresponsible breeders. Don Marro asked Ms. Hill Hauch to be a liaison between the pet overpopulation study group and responsible breeders.

volunteers offered to make phone calls on the ads to better determine the number of animals available each week and the locations (local or outside Virginia) of the advertiser

discussion of the image of the AKC and how the average citizens sees “AKC Certified” as some sort of guarantee on the health of the animal

“AKC Certified” means nothing more than the animal is registered

the lack of facts available to the public regarding AKC certification may well require an education campaign

B. general discussion

1. Virginia laws

it was explained that there is a law allowing businesses a 45% deduction on their taxes for anything over \$889 of service to a 501(c)(3) organization; could this not apply to veterinarians volunteering their spay/neuter skills to private organizations?

biggest opposition to new legislation may be from Virginia Shooting Sports Association and the AKC

there are laws on the books that are not being enforced; study group should be approaching solutions from every avenue possible including, but not limited to:

how to enforce the existing laws

how to involve more groups in the efforts such as businesses, churches and minority groups

how best to educate the general public

possibility of new legislation

2. additional areas included in the study but not yet brought up for discussion include:

ways of tracking animals

methods of sterilization

voting records of Virginia legislators on animal legislation

identification of all organization and individuals involved in animal control

3. miscellaneous comments

concern over and a strong desire to rid Virginia of gas chambers

problems with staff performance when using gas may be the problem more than the method

need to determine protocols for staff training with respect to euthanasia

concern about puppy mills with realization that for some farmers, the sale of litter of puppies can be the make or break factor for the farm; legislation that tries to limit or regulate this activity will be opposed by legislators representing these constituencies

suggested the study be broadened to include agribusiness interests which want to be responsible marketers of good animals

B. general discussion (cont.):

3. miscellaneous comments (cont.):

in order to have any success with new legislation, Tom Evans, a lobbyist for the Shooting Sports Association, would have to be at the table

advantage of going directly to opposition individual memberships if truculent

advantage of working on legislative campaigns in order to get access to the legislator

advocacy of an approach based on taxes and economics, not merely the morality of death; how tax money is being spent

however, not ready to commit to a single unifying theme at this time

C. moving forward

all will get minutes of this meeting and the first meeting on 7/23/04

Don Marro and Lillian Clancy will send out some “food for thought” as a follow-up to the meeting and explore the idea of a newsletter

it was suggested that the group have a name; Don Marro asked that any suggestions be sent over

The meeting adjourned at 1:15 pm.