

ORD-24 CORRESPONDENCE - Susan Murphy

Susan Murphy

10477 Ethel Circle

Cypress, CA 90630

714-821-4605

Cell: 714-609-2372

Fax: 714-821-4605

TO: OFFICE OF THE
CITY CLERK

FROM:

FAX: 562-570-6789

DATE: 3-16-15

PHONE:

PAGES:

RE: MANDATORY SPAY
NEUTER ORDINANCE

CC:

COMMENTS: PLEASE INCLUDE THESE ITEMS
OF CORRESPONDENCE FOR THE CITY
COUNCIL MEETING ON TUESDAY,
MARCH 17, 2015. WE NOTED THAT THESE
ITEMS WERE NOT NOTED FOR THE
LAST COUNCIL MEETING, 3-10-15.

THANK YOU

Susan Murphy

The Hon. Robert Garcia, Mayor
City of Long Beach
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Oppose Mandatory Spay/Neuter Ordinance

Dear Mayor Garcia:

Our team of local dog fanciers would like to thank the members of the Long Beach City Council, their chiefs of staff, your chief, Tim Patton, and you for allowing us to present and discuss our position on the proposed mandatory spay/neuter ordinance that will receive its first reading at the City Council's March 3, 2015, meeting. We have thoroughly enjoyed the opportunity that you have afforded us over the past month to state our views on this critical public policy change for the city and its human and canine populations.

After careful, continuous research and analysis of available historical data from cities in California and North America which we have shared with you all, we maintain our conclusion that a mandatory spay/neuter ordinance would result in a public policy for Long Beach that would be ineffective, unenforceable and financially burden those who are least able to pay the costs of the required veterinary procedures.

We have been strongly supported and advised in our mission by the American Kennel Club (AKC), which urges the voluntary alteration of companion, non-competition dogs through decisions made by dog owners in consultation with their licensed veterinarians. However, AKC universally opposes government-mandated programs that do not address irresponsible dog ownership and impose cost burdens on low-income populations, the root causes of shelter surrenders and ultimately euthanasia.

That view is shared by most leading U. S. animal-welfare organizations, including the United Kennel Club (UKC); the National Animal Interest Alliance (NAIA); the American Veterinary Medical Assn. (AVMA); the American Society for the Prevention of Cruelty to Animals (ASPCA); the Humane Society of the United States (HSUS); Best Friends Animal Society; and others whom we have discussed with you and your staffs.

Long Beach has demonstrated that voluntary spay/neuter programs can succeed through diligent public education and outreach. The city's Animal Care Services (ACS) department has significantly reduced shelter intake and euthanasia rates in recent years. We have received and analyzed ACS data and shared our findings with the City Council offices that we have visited. We applaud the leadership that the city has demonstrated to date.

However, should mandatory spay/neuter laws go into effect, case studies from cities which have enacted MSN ordinances reveal that:

- MSN has, in many jurisdictions, led to an increase in surrendered animals due to the costs of compliance.
- MSN reduces animal licensing because owners shield their pets from animal-control authorities. It also increases public health risks to humans and other animals, since owners will refrain from vaccinating their dogs for rabies as required by law.
- The requirement falls most heavily on those least able to pay, such as lower-income residents, seniors and the homeless.
- Compulsory sterilization serves no public health purpose nor does it prevent or remediate aggressive behaviors in dogs, altered or intact. It substitutes government requirements for professional veterinary judgment in consultation with dog owners.
- Shelter costs in almost every jurisdiction with MSN rise due to increased intake and euthanasia rates, coupled with the effects of reduced licensing revenues; nearby examples in California are Los Angeles City and Los Angeles County.
- MSN does nothing to promote responsible pet ownership. It is a supply-side control only; it is no substitute for the training and proper care of dogs.
- There are many effective alternatives to reducing the rates of euthanasia: pre-surrender interventions; mobile spay/neuter clinics; increased public education and outreach; expanded voucher programs; and pro-active engagement with rescue organizations, including rescue programs in purebred dog clubs.
- Many private sources of funding for voluntary spay/neuter programs exist for cities and rescue groups, including from major pet-product manufacturers.

If Long Beach adopts a policy of mandatory spay/neuter, it will fall into line behind a host of cities in California and across the USA which have enacted and now suffer from failed public policy. As a major city in California and the West, Long Beach has a unique opportunity to prove itself a true leader in responsible animal care by staying the course with a successful voluntary spay/neuter program and showing that enlightened public policy through education and outreach can, and does, work.

Sincerely yours,

Connie Koehler
Legislative Liaison to the American Kennel Club
Soft Coated Wheaten Terrier Club of America
Club

Judi McMahon
Member, Board of Governors
Irish Terrier Club of America

John Zappe
1st Vice President
Southwest Dog Obedience Club

Kimberly Buchanan
Member, Board of Directors
Southern California Schutzhund

Susan Murphy
Corresponding Secretary
Bull Terrier Club of America

Cc: Members of the Long Beach City Council



**AMERICAN
KENNEL CLUB®**

February 26, 2015

Mayor Robert Garcia
Long Beach City Council
333 West Ocean Blvd, 14th Floor
Long Beach, CA 90802

Re: AKC Opposes Mandatory Spay/Neuter

Dear Mayor Garcia and Members of the Long Beach City Council:

The American Kennel Club (AKC) writes on behalf of responsible dog owners in Long Beach to express our opposition to the mandatory spay/neuter ordinance before the city council. We respectfully ask that you to not advance this type of law in Long Beach.

From 2006-2010 AKC hosted the AKC/Eukanuba National Championship at the Long Beach Convention Center. The 2010 AKC/Eukanuba National Championship drew approximately 28,000 visitors to California from all 50 states as well as several foreign countries. The formula used by Long Beach Area Convention and Visitor's Bureau estimates the event's economic impact at approximately \$21 million. Our show is currently being held in Orlando, FL but we will be moving again for 2016. If Long Beach adopts a mandatory spay/neuter ordinance we would not consider it as a venue for this premier event.

Mandatory spay/neuter (MSN) laws are ineffective because they fail to address the underlying issue of irresponsible ownership. California state law already provides for the sterilization of animals adopted from shelters and mandates that the license fee for intact animals be at least double that of sterilized animals. It also mandates graduated fines for intact animals that are in violation of the animal control laws.

The report from Long Beach Animal Care Services shows that the department is making great strides in improving shelter intakes and euthanasia rates and in providing low-cost sterilization services. These good works should continue to be supported. Because mandatory spay/neuter policies are known to be ineffective in reducing shelter intakes and euthanasia, none of the major national animal welfare organizations support mandatory spay/neuter. The AKC, AVMA, ASPCA, No Kill Advocacy Center, and the American College of Theriogenologists are just a few of the groups that oppose mandatory spay/neuter policies because they do not benefit dogs or the community.

Shelter populations are based on a variety of factors. Economics is often a primary cause of shelter population increases, as families are forced to give up their pet when they can no longer afford to care for them or are relocating. Low cost spay/neuter clinics and public education programs designed to help citizens make good decisions before purchasing a pet and to help them care for those they own are a much more effective solution. In fact, the City of Long Beach has already seen significant differences

in their shelter populations due to these initiatives. Other cities which have adopted mandatory spay/neuter policies have seen increased costs, increased shelter intakes and increased euthanasia.



**AMERICAN
KENNEL CLUB®**

March 10, 2015

Mayor Robert Garcia
Long Beach City Council
333 West Ocean Blvd, 14th Floor
Long Beach, CA 90802

Re: AKC Opposition to Mandatory Spay/Neuter – Setting the Record Straight

Dear Mayor Garcia and Members of the Long Beach City Council:

The American Kennel Club (AKC) has previously written to you to in opposition to the proposed mandatory spay/neuter ordinance. I am attaching copies of our previous communications for your reference.

AKC has received a copy of a letter that Ms. Melanie Sobel, Director of Santa Cruz County Animal Shelter sent to you, which contains a number of false and misleading statements regarding AKC's mission, position and statements on canine policy.

We wish to set the record straight and to again urge you to oppose the proposed mandatory spay/neuter proposal, which could harm responsible dog owners while doing little to improve shelter issues or the wellbeing of dogs in Long Beach.

Ms. Sobel claims that AKC opposes mandatory spay/neuter ordinances in order to protect an interest in the buying and selling of animals for profit. The fact is, the AKC is a not-for-profit organization dedicated to advocating for the purebred dog as a family companion, advancing canine health and wellbeing, working to protect the rights of all dog owners and promoting responsible dog ownership. The AKC does not buy or sell dogs. We are a purebred dog registry that maintains pedigrees to establish the purebred parentage of dogs registered with us. The AKC is also the governing body for more than 20,000 educational dog events throughout the country, including conformation dog shows, field and agility trials and other companion and performance events that are sponsored by local AKC – sanctioned dog clubs.

Ms. Sobel's letter claims that the AKC has erroneously reported Santa Cruz shelter statistics in reference to Long Beach. In fact, the AKC's only communication with the Long Beach City Council has been the attached letters, neither of which references Santa Cruz. We have not made any statements concerning Santa Cruz Animal Shelter, their euthanasia or licensing rates.

Under the proposed ordinance, most AKC dogs would be eligible for exemptions (as long as they were accepted by the Long Beach Animal Control Services Director). AKC opposes mandatory spay/neuter because it has been demonstrated to be ineffective and can actually hurt animals and residents. This is

the same reason that it is opposed by a broad range of groups including the AVMA, NAIA, ASPCA, No Kill Advocacy Center, and the American College of Theriogenologists.

The AKC supports the sterilization of animals adopted from shelters, which is required by California state law. We also strongly support programs that support voluntary spay/neuter and assist low-income residents by providing low-cost and no-cost options for sterilization. Our Spaying and Neutering Position Statement says, "The American Kennel Club encourages pet owners to spay or neuter their dogs as a responsible means to prevent accidental breedings resulting in unwanted puppies. The American Kennel Club encourages breeders to discuss spaying and neutering options with puppy buyers who do not wish to participate in conformation events."

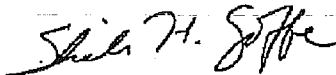
There is no consensus among veterinarians or animal behaviorists that "sterilization improves a pet's health and temperament." A summary of some behavioral concerns regarding spay/neuter can be seen here. Attached you will find a list of studies demonstrating the health concerns associated with early spay/neuter, which this ordinance would mandate by forcing the sterilization of dogs by six months of age.

Finally, we agree with Ms. Sobel's statements that good laws and public education are the best way to change attitudes and promote responsible pet ownership and that changing people's behavior is integral to reducing shelter populations. However, we do not believe that mandatory spay/neuter policies will do that. They are punitive, disrespectful of the rights of the individuals and the cultural norms of certain groups, and have never been proven to lower shelter intakes or euthanasia numbers.

We respectfully urge you to focus on enforceable laws that will address the problem of irresponsible ownership in your community for all pet owners. The American Kennel Club would welcome the opportunity to work with you to develop effective, responsible legislation that would address your concerns without restricting the rights of those who choose to be responsible owners of intact animals. Please do not hesitate to contact us at (919) 816-3720 or doglaw@akc.org if we can assist you in developing viable alternatives to mandatory spay/neuter policies.

Thank you for your consideration.

Sincerely,



Sheila Goffe
Director, Government Relations



**Statement of opposition to proposed Mandatory Spay/Neuter and Pet Sale Ban
Mindy Patterson, President, The Cavalry Group**

March 9, 2015

Honorable Mayor Garcia and Members of the Long Beach City Council:

My name is Mindy Patterson, and I am the co-founder and president of The Cavalry Group, a member based company protecting and defending the Constitutional and private property rights of law abiding animal owners and animal-related businesses, nationwide. We strive to defend our members against the onslaught of anti-private property and anti-agriculture animal rights activism in addition to challenging the infiltration of radical animal rights activism in government at the local, state, and federal levels.

For many years, I have worked closely with animal owners and animal enterprises, including dog breeders, livestock, and exotic animal owners and breeders, farmers, ranchers, and other animal enterprises. What I have witnessed in the past decade is aggressive activism causing a radical transformation in the philosophy that influences the regulation, enforcement, and treatment of those who own and raise animals for profit. Specifically, time-tested agricultural practices that ensure the health and safety of both people and animals, have been redefined as "inhumane treatment" by those who have an emotion-based agenda, that which is not based on fact or science. This radical ideology has pressured government agencies and inspectors to increasingly make use of fines and seizures that are based more in an effort to appeal to radical animal activists than they are based in the letter of the law or the standard best practices of animal agriculture producers.

The Cavalry Group was formed to advocate on behalf of animal owners and animal based businesses across the country. Accordingly, we have a large member contingency in Long Beach, California and are extremely concerned about the detrimental affects that a mandatory spay/neuter law and pet sale ban would have on animal owners, animal breeders, and general commerce in Long Beach and surrounding regions.

Agenda-Driven Policy:

The Cavalry Group has witnessed a systematic attempt to over-regulate, unfairly inspect, and penalize commercial animal enterprises out of business. The intent of this statement is to highlight this unreported problem and to plead for increased oversight for the institutions charged with enforcement of rules and regulations related to animal ownership.

We believe that the origin of this shift can be traced directly to what is known as the "Animal Rights Movement," a line of thinking that has gradually gained a foothold in universities and government throughout the past 40 years. What was once a radical, ragtag group of extremists is now a multi-billion dollar coalition of organizations that raise money under the guise of improving animal welfare and running pet shelters, but ultimately spend that money on the promotion of increased regulation on animal ownership and enterprise.

Recently, these groups have pushed for unsupported regulatory changes in other states to achieve their goals. These regulations often mislead legislators, committee members, and the general public as to their actual effects and true impact on animal owners and breeders, instead of using facts and science the activists prey on the emotions to influence passage of legislation using pictures and video taken vastly out of context.



Mandatory Spay/Neuter:

Several studies released over the past number of years have documented the adverse affects on the development of both male and female dogs resulting from spay and neuter. The American Veterinary Medical Association's official policy now states, "*Mandatory spay-neuter is a bad idea.*"

The AVMA policy statement goes on to say: "*... potential health problems associated with spaying and neutering have also been identified, including an increased risk of prostatic cancer in males; increased risks of bone cancer and hip dysplasia in large-breed dogs associated with sterilization before maturity; and increased incidences of obesity, diabetes, urinary tract infections, urinary incontinence, and hypothyroidism.*" (Reference: AVMA.org)

The best interests of the individual patient are what should determine when or whether a pet should be spayed or neutered. This is a medical decision, to be decided by a pet owner in consultation with their veterinarian. One size does not fit all, and should not be mandated by the government.

Banning retail pet sales and stores:

Banning the sale of pets is a direct attack on free trade and commerce, while doing nothing to stop animal abuse. Pet stores facilitate the ultimate pet ownership experience, relying on repeat customer business and customer satisfaction. Providing consumers a choice of pet options is not only the right thing to do, it is a good business decision. Pet stores are accountable, traceable sources for pets, and are legitimate businesses, which are self-sustained and bring a steady stream of tax revenue to Long Beach.

Preventing responsible pet stores from selling pets in the City of Long Beach will drive residents to other cities or to the Internet to purchase pets which will harm other local businesses while doing nothing to educate consumers about making informed choices or improve animal welfare. Putting legitimate pet stores and kennels out of business also forces more consumers to support an underground, unregulated market for pets.

We support pet stores and pet sales through retail pet stores for several reasons: Pet stores provide veterinarian inspected, healthy puppies from licensed, regulated breeders. Pet stores provide veterinary care and are regulated at state and federal level, pet stores provide consumer protection, pet stores help inform consumers to find the best breed to fit their lifestyle and family, pet store visits ensure compatibility with the prospective pet, and pet stores rely on customer satisfaction. A pet sale ban does nothing to increase animal welfare standards – a pet sale ban would harm businesses and consumers, while eliminating revenue to the City of Long Beach.

Summary:

As Mayor and City Council Members overseeing the City of Long Beach, California, we ask that you take action to reign in this subversive attack on animal ownership, free trade and commerce. Those engaged in actual animal husbandry know far better how to care for animals than well-intentioned urban activists. We must allow time-tested agriculture and veterinary practices to proceed free of interference from over-regulation. Any ban on animals is one more way for the animal rights agenda-driven policy to meet their goal to create a no animal-ownership society.



The City of Long Beach does not need further regulation or government involvement in private enterprise or animal ownership. There is no "crisis" to solve. There is only propaganda intended to harm the rights of citizens and to destroy viable law abiding animal businesses and the future of animal ownership.

We respectfully request that Mayor Garcia and Members of Long Beach City Council reject any mandatory spay/neuter laws and pet sale ban policies.

Respectfully submitted,

Mindy Patterson
President
The Cavalry Group

AVMA: Mandatory spay/neuter a bad idea

Page 1 of 2



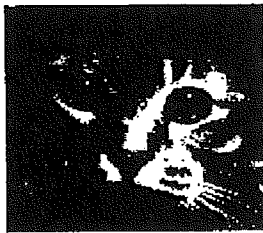
JAVMAnews

AVMA NEWS

May 15, 2009

AVMA: Mandatory spay/neuter a bad idea

The AVMA policy on "Dog and Cat Population Control" has been revised to express the Association's non-support for regulations or laws mandating spay/neuter of privately owned, non-halter dogs and cats.



The Animal Welfare Committee recommended the changes to the policy, which reads, in part, as follows: "The AVMA does not support regulations or legislation mandating spay/neuter of privately owned, non-halter dogs and cats. Although spaying and neutering helps control dog and cat populations, mandatory approaches may contribute to pet owners avoiding licensing, rabies vaccination and veterinary care for their pets, and may have other unintended consequences."

The policy was adopted in November 2004 and considered by the AWC in accord with the five-year review directive. After review and discussion, committee members agreed that the AVMA should not support regulations or legislation mandating spay/neuter of privately owned, non-halter dogs and cats for a number of reasons, which were provided in the background of the recommended policy changes.

Although spay/neuter is an important part of effective population control programs, and may benefit individual dogs and cats if performed at the appropriate time, whether and when to spay/neuter specific animals requires the application of science and professional judgment to ensure the best outcome for veterinary patients and their owners. Prevention of unexpected litters; reduced incidences of some cancers and reproductive diseases; and prevention and amelioration of certain undesirable behaviors have been documented as benefits to spaying/neutering dogs and cats. However, potential health problems associated with spaying and neutering have also been identified, including an increased risk of prostatic cancer in males; increased risks of bone cancer and hip dysplasia in large-breed dogs associated with sterilization before maturity, and increased incidences of obesity, diabetes, urinary tract infections, urinary incontinence, and hypothyroidism.



UNITED KENNEL CLUB

YOUR TOTAL DOG REGISTRY SINCE 1898

February 24, 2015

RE: Long Beach Mandatory Spay/Neuter Ordinance

Dear Mayor Garcia and Long Beach City Council Members:

My name is Sara Chisnell, and I am Legal Counsel for United Kennel Club, the nation's largest performance dog registry since 1898. It has been brought to our attention that the Long Beach City Council will be considering a requirement that all dogs in the city be sterilized. As such, I am writing to you on behalf of concerned dog owners.

United Kennel Club opposes mandatory sterilization of dogs for a myriad of reasons that far outweigh what little benefit could be gained. The unintended consequences of these types of laws end up doing what the law intends to stop: put more dogs in shelters. Many owners end up dumping or surrendering dogs in fear of being ticketed or because they cannot afford to spay or neuter their dog; these laws end up mostly hurting the poor. Many others simply evade licensing their dog resulting in decreased revenue to animal control from license fees which results in decreased enforcement of a law that is incredibly difficult to enforce in the first place. Bottom line, mandatory sterilization does not achieve what it seeks to accomplish, and these laws simply do not work.

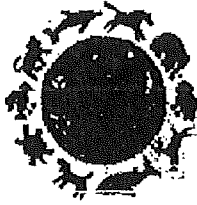
UKC also opposes mandatory sterilization of dogs on behalf of the dogs themselves. More studies have emerged that demonstrate increased health risks for sterilized dogs, particularly when done under a year of age. Sterilization increases the risk of osteosarcoma, hemangiosarcoma, hypothyroidism, spay incontinence in females, and one study even showed a link to hip dysplasia. Another study with aged Rottweilers showed exceptional life longevity was linked to retention of ovaries.

Instead of forced sterilization, a better option would be to focus on owner responsibility through enforcement of current laws, dog owner education, and low or no cost spay and neuter clinics. A responsible dog owner's property rights should be protected: so long as the responsible owner follows the rules, they should have the right to determine when and what invasive medical procedures and alterations are made to their dog.

UKC urges you to strike down any mandatory sterilization laws and instead consider more onus on owner responsibility as alternatives to lower euthanasia rates and shelter numbers. On behalf of responsible dog owners, I appreciate your consideration of our concerns in this matter.

Sincerely,

Sara Chisnell
Legal Counsel
UNITED KENNEL CLUB



NATIONAL ANIMAL INTEREST ALLIANCE

Supporting the people who care for America's animals

February 23, 2015

Mayor Robert Garcia
Long Beach City Council
333 W. Ocean Blvd, 14th Floor
Long Beach, CA 90802

Dear Mayor Garcia and Long Beach City Council Members:

I am writing on behalf of the National Animal Interest Alliance (NAIA), a broad-based animal welfare organization founded in 1991, made up of pet owners, dog and cat organizations including kennel and cat clubs and rescue groups, veterinarians and numerous other animal professionals and animal-related businesses. Our mission is to promote the welfare of animals, to strengthen the human-animal bond, and to safeguard the rights of responsible animal owners and professionals through research, public education and sound public policy. We have members in all 50 states, including members living in Long Beach.

We are writing to express our concern over your proposed mandatory pet sterilization ordinance. Although we support the specific goals of the ordinance – reducing the impoundment and euthanasia of unwanted dogs – our firsthand experience with similar ordinances all over the United States tells us that the approach being considered in Long Beach will lead to unintended consequences, ones that could exacerbate the problems you wish to resolve.

Mandatory sterilization laws are based on the premise that the primary cause of surplus shelter populations is pet overpopulation, but that assumption flies in the face of numerous studies that suggests that the bulk of animals in shelters today:

- are not young puppies;
- that according to the Journal of Applied Animal Welfare Science, studies conducted by the National Council on Pet Population Studies and Policy and other organizations, about a third of shelter animals were given up by their owners because of personal issues such as moving, financial strain, or because the pet had a behavior or health problem;
- that many pet owners use shelters as an alternative to a veterinarian when seeking euthanasia of an old, sick or dangerous animal; and
- that a high number of shelter animals are already neutered!

These findings indicate that mandatory spay and neuter does not have a significant impact on its target population. Contrary to its intentions, mandatory spay/neuter laws have actually led to an increase in surrendered animals in many jurisdictions due to the costs of complying. These increases are directly proportional to shelter costs which will grow as well. This outcome has been observed in nearby jurisdictions such as Los Angeles City and Los Angeles County¹.

This ordinance also strives to impact irresponsible pet ownership through its mandatory spay/neuter policy. The reality is that mandatory spay/neuter ordinances reduce animal licensing because owners react defensively to mandatory ordinances and shield their dogs. Additionally, the requirement falls most heavily on those least able to pay, such as lower-income residents, seniors and the homeless. The result is that instead of encouraging responsible pet ownership, it drives pet owners further underground.

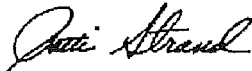
The bottom line is that mandatory spay/neuter can only impact the supply side of the surplus shelter animal problem. It cannot impact the primary source of surplus shelter dogs; strays and ones that are relinquished because their owners no longer want them or because they are unable to keep them.

It's also important to be aware that highly respected scientific evidence shows that spaying shortens an animal's lifespanⁱⁱⁱ. Many of the existing mandatory spay/neuter laws were passed before this information was available and widely accepted by the veterinary community. Compulsive sterilization can no longer be seen as a reasonable approach to solving shelter dog problems^{iv}.

Please call on us if we can be of help as you consider this ordinance. Our organization has been working with municipalities to solve community animal problems for decades, have gathered a wealth of data on pet ordinances and a board of directors with unique expertise on the subject. We would like to help you achieve your goals in the best ways possible; in ways that will not unduly restrict or intrude on the rights of responsible pet owners, while increasing public awareness and community collaboration.

Thank you for your time and consideration on this issue.

Sincerely,



Patti Strand, President

ⁱ Characteristics of relinquished animals
<http://www.naiaonline.org/uploads/WhitePapers/RelinquishedAnimals.pdf>

ⁱⁱ Chart showing shelter dog trends in L. A City
http://shelterproject.naiaonline.org/shelter_data/shelter/356/2/received

ⁱⁱⁱ Spay shortens life <http://www.naiaonline.org/uploads/WhitePapers/sexDifferencesInLongevity.pdf>; Long Term Health Effects of Spaying and Neutering dogs

<http://www.naiaonline.org/uploads/WhitePapers/LongTermHealthEffectsOfSpayNeuterInDogs.pdf>

^{iv} AVMA opposition to mandatory spay/neuter

<http://www.naiaonline.org/uploads/WhitePapers/avmaMandatorySpayNeuterABadIdea.pdf>; Society for Theriogenology (Reproductive veterinarians) opposition to mandatory spay/neuter

<http://www.naiaonline.org/uploads/WhitePapers/SocietyForTheriogenologyMandatorySpayNeuterPosition.pdf>

R-8 CORRESPONDENCE - Geneva Coats

NOV/18/2014/TUE 03:25 PM

FAX No.

P. 001



P.O. BOX 2341 LANCASTER CALIFORNIA 93539
 WWW.CFODCONLINE.ORG

Long Beach City Council
 333 W. Ocean Blvd
 Long Beach, CA
 November 18, 2014
 FOR OFFICIAL RECORD

Dear Mayor Garcia, Vice Mayor Lowenthal and City Council Members,

The California Federation of Dog Clubs is an association of thousands of dog owners across the State of California. Formed in 1990, the CFoDC works tirelessly to promote animal welfare, educate the public regarding responsible animal ownership, and protect the rights of responsible animal owners. We administer a disaster relief fund, conduct breed ID workshops for shelter personnel, provide educational information on responsible pet ownership. We also man a toll-free assistance line for animal owners who need advice regarding pet training and behavioral issues. We support animal legislation with positive benefits to society.

We are concerned regarding the proposal on tonight's agenda which would require mandatory spay/neuter for the vast majority of pets in your city, and prohibit the retail sales of pets. Long Beach already has such a draconian process for breeder permits that it is doubtful that there is even ONE licensed breeder in your city, and now, this?

The CFODC is OPPOSED to the mandated sterilization of pets, regardless of exemptions. We are opposed to high fees and excessive restrictions for licensing and breeding permits. Some of the reasons for our opposition include:

- The ASPCA, the No Kill Advocacy Center, the American Veterinary Medical Association, the American Kennel Club and many other animal welfare groups are OPPOSED to mandatory sterilization because it creates more problems than it solves.
- Coercive sterilization laws and excessive animal-related fees result in increased shelter intakes and deaths anywhere they are tried. Fewer people will reclaim their pets due to high costs. Los Angeles has seen a steep rise in shelter intakes since implementing its own mandatory spay/neuter law. So has Memphis, Tennessee.
- Mandatory sterilization is costly to enforce.
- Revenues will drop, as owners will increasingly avoid licensing and forced surgery on their pets. There will be even LESS money for the needed enforcement.
- Oppressive forced sterilization laws have resulted in increased incidence of RABIES in some

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P. 002

areas, as owners who avoid licensing may also fail to vaccinate for rabies. This creates a dire risk to human health. Fort Worth TX repealed their mandatory spay-neuter law due to increased cases of rabies exposure.

- Dogs are being smuggled in by the thousands now, from Mexico and other countries, to meet the demand for pets. Mandatory sterilization creates a black market for dogs and puppies. Black market pets bring rabies and parasites along with them.
- Feral cats comprise the majority of shelter intakes, and sterilization mandates do not help feral cats. The only result is that Good Samaritans who care for feral cats are punished. Existing leash and confinement laws should be enforced. Sterilization does NOT prevent roaming.
- There is no evidence to support the assertion that shelter intakes are caused by animals bred locally. Most puppies are sold outside of the local area where they are born.
- Mandated surgery disproportionately punishes low-income families.

We urge you to REJECT any mandatory sterilization ordinances and instead focus on measures proven to work over the past thirty years...aggressive public education campaigns, trap/neuter and release programs for feral cats, and low-cost voluntary sterilization clinics.

The CFoDC is also OPPOSED to bans on retail sales of pets, regardless of exemptions. Pet sales bans encourage the growth of a totally unregulated underground market. This ordinance would, in effect, trade a heavily regulated business for a largely unregulated industry, the pet rescue industry. A sales ban would only hurt legitimate businesses and responsible, regulated breeders and do nothing to improve animal welfare. If implemented, this sales ban will not directly provide a home for even ONE shelter animal.

Sales bans create a shortage of desirable pets, a black market for dogs and cats, and a rise in imports from other countries. Many "rescue" groups are already importing dogs from overseas to meet the demand for pets. This is happening right now in southern California. A rescue group in LA imports dogs and sells them for hundreds of dollars each. Per the "Dogs Without Borders" website: "We currently rescue most dogs from local shelters and strays, but sometimes we rescue dogs from as far away as Taiwan!...Some of the dogs you see on our site are not here in the States."

There is ample evidence collected by the LA County Veterinary Public Health Dept, the US Customs and Border Patrol, and the Centers for Disease Control proving that a high and rising number of dogs in the marketplace are being imported into the US for the rescue-shelter enterprise. *More than 10,000 dogs enter the US from Mexico each and every year.* Some dogs are imported for the rescue trade from as far away as Asia, Europe and the Middle East.

The practice of so-called "humane relocation" is not only outrageous, but is also very irresponsible on the part of the shelters/rescues that participate. There are diseases and parasites in other countries which are transmitted from dog-to-dog or from dogs-to-humans which put the safety of our citizens and our dog population at great risk. In late 2004, the first case of canine rabies in Los Angeles County in 30 years was confirmed. The dog had recently come in from Mexico. Rabies is a fatal disease that still claims over 50,000 human lives annually worldwide.

The demand for shelter dogs drives the importation of dogs for the rescue market niche, Helen Woodward Humane Society imports dogs on a regular basis from other states and even from other

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countries as far away as Romania into San Diego County. Bans on animal sales exempting "rescues" would exacerbate the spread of disease.

Claims of high incidence of illness in pet store puppies are totally unsubstantiated. Pets bred under USDA rules and regulations receive regular veterinary care. There is evidence that the pet industry provides more veterinary care for puppies than the public at large. DVM/VPI Insurance Group, the largest provider of animal health insurance, testified during a hearing in California that "preconceived notions" concerning pet store puppies "could not have been more wrong." After insuring more than 89,000 pet store puppies and kittens and handling health claims from a pool of more than 500,000 insured animals, the insurance company reduced its premiums for pet store puppies and kittens substantially by as much as 22 percent compared to premiums charged for animals from other sources. Why? Pet store puppies receive more veterinary attention during the first 12 weeks of age than any other puppies and, as a result, have fewer claims.

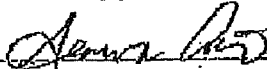
California law provides consumer protection for pets purchased in pet stores; however, shelter and rescue animals are exempt from health, safety and disclosure requirements and from the consumer protection laws which are required of traditional pet stores and breeders under the Lockyer-Polanco-Farr Pet Protection Act and the Polanco-Lockyer Pet Breeder Warranty Act. This proposed ordinance would eliminate consumer protection and would encourage the proliferation of unhealthy pets.

While many rescue groups do good work, none of them are regulated. Some animal rescue groups raise the animals that they sell under poor conditions, the very conditions this ordinance seeks to eliminate. Just last January, dogs purchased from a Simi Valley rescue/shelter operation came down with parvo within days of purchase. This operation, like most of its counterparts, offers no warranty nor is it required to by law. Veterinary bills for the purchasers of these rescued pets ran into the thousands of dollars. Consumers have no recourse when they purchase a rescued pet with health problems and resultant big veterinary bills.

A recent study revealed that less than 5% of dogs sourced from pet shops end up in an animal shelter. Commercial breeders are a legitimate source for healthy, well-bred animals. Shelter and rescued animals are a different matter, with unknown health, temperament, parasites and infectious diseases.

We urge you to reject these proposals that would institute counterproductive mandatory sterilization, oppressive animal-related fees, and the prohibition of the retail sale of pets by replacing them with unregulated "rescue" animals.

Sincerely yours,



Geneva Coats, R.N.

Secretary

California Federation of Dog Clubs

CC: Robert Garcia, Suja Lowenthal, Lena Gonzales, Suzie Price, Patrick O'Donnell, Stacy Mungo, Dee Andrews, Roberto Uranga, Al Austin, Rex Richardson

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Position Statement on Mandatory Spay/Neuter Laws

Background

Per capita shelter intake and euthanasia have been in a steady decline nationwide for the past several decades. Research indicates that the main reason for this decline is the increasing incidence of spayed and neutered animals in the pet population (Zawistowski et al., 1998; Irwin, 2001; Clancy & Rowan, 2003). In fact, the veterinary community recently formally acknowledged the importance of safe, efficient, accessible sterilization programs as the "best antidote to the mass euthanasia of cats and dogs resulting from overpopulation" (Looney et al., 2008). There is, however, variation in shelter intake and euthanasia rates across communities as well as a difference between that for dogs and cats. As a result, many communities are currently searching for methods to reach those who are still contributing disproportionately to companion animal overpopulation. Attempts to reduce shelter intake and euthanasia through the passage of legislation mandating the spaying and neutering of companion animals has recently garnered much attention and debate.

To the knowledge of the ASPCA, the only method of population control that has demonstrated long-term efficacy in significantly reducing the number of animals entering animal shelters is the voluntary sterilization of owned pets (Clancy & Rowan 2003; FIREPAW, 2004; Secovich, 2003). There is also evidence that sterilizing very specific, at-risk sub-populations of companion animals, such as feral cats and animals in shelters, can also contribute to reductions in overpopulation (Zawistowski et al., 1998; Clancy & Rowan 2003; Levy et al., 2003; Lord et al., 2006; Natoli et al., 2006). However, the ASPCA is not aware of any credible evidence demonstrating a statistically significant enhancement in the reduction of shelter intake or euthanasia as a result of the implementation of a mandatory spay/neuter law.

Caution must therefore be applied when interpreting existing claims regarding the effects of local mandatory spay/neuter (MSN) laws. First, because per capita shelter intake and euthanasia are in decline due to voluntary spaying and neutering, it is impossible to determine the effect of an MSN law without comparing a community's trends in shelter intake and euthanasia for several years before and after the law was enacted to trends in adjacent, similar communities without MSN legislation. Furthermore, to determine with confidence the effects of any spay/neuter program on the animal population, which naturally fluctuates somewhat from year to year, population trends must be examined over a period sufficiently long to absorb those natural fluctuations. Claims based on one or two years of data can be misleading.

In addition, it is imprudent to generalize about the effects of MSN laws. One reason is that the definition of "mandatory" varies greatly across communities. In some localities, a citation may be issued for any animal over the age of four months seen unaltered, while in other communities, a citation results only when another animal control offence has been committed or if more than one unspayed female lives in the household. Another complication is that it can be extremely difficult for even a veterinary professional to visually determine if an animal, particularly a female, has been sterilized; it would be virtually impossible for an animal control officer to make those determinations in the field. For these reasons, and due to variation across communities in law enforcement funding and personnel support, actual enforcement of MSN laws varies widely, making comparisons between MSN laws or predictions about their impact very difficult.

Another reason for caution when interpreting the effects of MSN legislation is that shelter intake and euthanasia statistics are often presented as a total number of dogs and cats. In some communities, the number of dogs entering and being euthanized in shelters is dropping significantly while the number of cats is declining more slowly or even increasing. Therefore it is critical to examine population and shelter statistics for dogs and cats separately, so that reductions in dog intake and euthanasia do not mask increases in cat intake and euthanasia. This issue is particularly critical in the analysis of the effect of MSN laws, since feral and unowned stray cats continue to represent a substantial proportion of the shelter population and euthanasia. This major contributing factor is not addressed by MSN laws that, by nature, target owned animals.

Even when an MSN law seems to have a positive effect on one aspect of animal welfare, it may have a negative effect on another. For instance, in at least one community that enacted an MSN law, fewer pets were subsequently licensed, likely due to owners' reluctance to pay either the high fee for keeping an unaltered animal or the fee to have the pet altered (Office of Legislative Oversight, 1997).

The ASPCA is also concerned that some communities may rely primarily or exclusively on MSN legislation to reduce shelter intake and euthanasia even though the animal shelter population is actually very heterogeneous with no single cause or source (National Council on Pet Population Study and Policy, 2001). Many social, cultural and economic factors as well as animal health and behavioral issues contribute to shelter intake; therefore, no single program or law can be relied on to solve the problem.

Furthermore, one of the main barriers to spaying and neutering of pets is accessibility of services, which is not addressed simply by making spaying and neutering mandatory. Cost is one of the primary barriers to spay/neuter surgery in many communities (Patronek et al., 1997; Ralston Purina, 2000; Frank, 2001). In fact, low household income and poverty are statistically associated with having a sexually intact cat (Patronek et al., 1997; Chu et al., 2009), with relinquishment of pets to shelters (Patronek et al., 1996), and with shelter intake (Frank, 2003). As a result, the proportion of pets from poor communities who are being euthanized in shelters remains high; shelter euthanasia rates in the poorest counties in states such as California and New Jersey are several times higher than those in the most affluent counties (Handy, 2002; Marsh, 2008).

Each community is unique, however, in terms of the particular sources and causes of companion animal overpopulation and the primary barriers that exist to having pets altered. No one-size-fits-all solution is therefore possible. In examining communities around the country that are having

significant success in reducing companion animal overpopulation, it appears that the common denominator is a *multifaceted, targeted* community program that:

- is based on careful research to determine which segments of the animal population are actually significantly contributing to shelter intake and euthanasia and then targets efforts to those segments of the population;
- focuses on the particular barriers to spay/neuter that are predominant and strives to overcome them;
- is well-supported and well-funded; and
- has an efficient voluntary spay/neuter infrastructure in place to service the populations it targets.

ASPCA Position

The ASPCA does not support mandatory spay/neuter laws, however, based on currently available scientific information, the ASPCA strongly supports spay/neuter as an effective means to reduce companion animal overpopulation. In particular, the ASPCA supports voluntary, affordable spay/neuter programs for owned pets, Trap-Neuter-Return (TNR) programs for feral cats and the mandatory sterilization of shelter animals and certain individual, owned animals based on their or their owners' behavior (such as animals deemed dangerous under local ordinances or those repeatedly caught at-large). In order to assure the efficacy of any spay/neuter program designed to reduce shelter intake and euthanasia, the ASPCA believes that each community must conduct credible research into the particular causes of relinquishment and abandonment and the sources of animals in its shelters, including the barriers to spay/neuter services that are faced by those populations contributing disproportionately to the problem. Each community must address these issues with a tailored, multifaceted approach as described below:

- 1) The community should have in place an adequately funded, readily accessible, safe, efficient, affordable spay/neuter program.
- 2) Community research should identify the particular segments of the population that are contributing disproportionately to shelter intake and euthanasia, and the community should produce programs that are targeted to those populations.
- 3) The community should strive to maximize the accessibility of spay/neuter services and provide compelling incentives to have the surgery performed.
- 4) The spay/neuter program should be developed with the guidance of veterinary professionals who are committed to delivering high quality spay/neuter services to all patients (Looney et al., 2008).
- 5) The program must adequately address the contribution that feral and stray animals make to overpopulation.
- 6) The program must be adequately supported in terms of financing, staffing and infrastructure.
- 7) The efficacy of all aspects of the program must be monitored and revisions made as



Orange Coast
Bull Terrier
Club

RE: Oppose Mandatory Spay/Neuter of Dogs

Dear Mayor Garcia and Members of the Long Beach City Council:

The Orange Coast Bull Terrier Club is writing today to ask you to oppose any ordinance that would mandate sterilization of dogs. Orange Coast Bull Terrier Club represents 145 dog owners in California and we support shows in Long Beach at the Queen Mary Event Park with the Golden State Bull Terrier Club and Bull Terrier Club of America.

Mandatory spay/neuter is not supported by ANY national animal welfare organization as it leads to increased animal control costs and higher euthanasia rates. Further, these laws disproportionately affect seniors, lower income residents and homeless populations. California state law mandates higher licensing fees for intact animals, graduated penalties for the return of loose intact animals and the City of Long Beach has a strict breeding ordinance in place. These tools are sufficient to address irresponsible breeding. Implementing a mandatory spay/neuter ordinance will divert animal control resources from dogs whose behavior demonstrates that they are a problem for the community.

Although our members enjoy the shows in Long Beach we would have concerns about participating in future events in a city that so severely restricts ownership of intact dogs. It is important to our members and participants to support communities that value dogs as we do.

The Great Western Terrier Specialties and Long Beach Kennel Club have always been favorites with their lovely setting of the Queen Mary in her Park. I sincerely believe that if Long Beach passes this draconian ordinance that these shows will recognize a severe decrease in their attendance with many of the specialty clubs already considering holding their specialty shows elsewhere.

Orange Coast Bull Terrier Club has presented many of the local Fire Departments with the dog and cat oxygen masks for their trucks. We also have been doing rescue throughout San Diego, Orange and Los Angeles Counties for many years focusing on our

specific breed. Many of the show giving clubs are working towards supplying their communities with the AKC Unite Disaster Relief Trailers, which will help take care of animals in the event of an earthquake, wildfire or flooding.

Mandatory spay/neuter is an ineffective solution to animal control problems because it fails to address the heart of the issue—irresponsible ownership. These laws are extremely difficult to enforce and can be evaded by irresponsible animal owners by not licensing their pets. It will hurt responsible breeders who raise healthy, well cared-for dogs and work to ensure that these puppies are placed with responsible owners.

The Orange Coast Bull Terrier Club supports efforts to reduce shelter populations through voluntary spay/neuter, subsidies for low-cost or no-cost spay/neuter, dog training to assist owners in addressing behavior problems that might otherwise result in surrender and rehoming dogs through purebred rescue. We would be pleased to assist you in pursuing these policies in Long Beach.

We respectfully ask that you support responsible owners and breeders by opposing mandatory spay/neuter.

Sincerely,

Susan Murphy
President
Orange Coast Bull Terrier Club