

Someone once said, and it is very true, a society is judged best by how it treats its animals.



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March 7, 2007

Bureau of Dog Law Enforcement
Attn: Ms. Mary Bender
Pennsylvania Department of Agriculture
2301 North Cameron Street
Harrisburg, Pennsylvania 17110-9408

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Ms. Bender:

Correspondent's Background

Throughout my life I have been the proud human-companion for everything from dogs to cats to rabbits to turtles to hermit crabs to goldfish and more. I am a responsible pet owner that friends, neighbors, my dogs' trainer and my pets' veterinarians can attest to. Except for the hermit crabs and goldfish all my animal companions have either been adopted from rescue organizations or throw aways from someone or arrived on my doorstep on their own.

I was very much impressed that the Pennsylvania Commonwealth Court in an opinion dated March 30, 1994, overrode an ordinance that limits the number of animals (cats) that could be kept in a single residence. While there are those who cannot properly care and provide for one pet, another person can quite competently care for multiple pets of one species or more.

Reason for this Letter

As you have probably guessed I am writing in regards to the proposed changes to the dog law. In general I believe the existing laws in general and most of the proposed changes to the dog laws do not adequately address the real issues regarding animals and dogs in the Commonwealth of Pennsylvania. The proposed changes to the dog laws may give the immediate appearance of improving conditions, but in fact, may also be hurting those who are trying to make a difference.

Based on the documents I have as well as information from various sources (i.e., Central PA Dogs; Pennsylvania Bulletin Volume 36, Number 50; Furry Friends Network, The Animal Welfare Act January 2002 Animal Care, Animal Welfare Act as Amended (7 USC, 2131-2156), etc.) my suggestions/opinions are as follows:

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My Opinions/Suggestions

- Overall the proposed regulations do not address the on-going more serious issues involving pets in Pennsylvania (i.e., animal cruelty, dog fighting rings, puppy mills, backyard breeders, hobby breeders, pet shops selling dogs). Instead the regulations (current and proposed) appear to be aimed at areas that would be easier to regulate rather than deal with these major issues. In other words, superficial at best.
- Fines and jail time should be substantially increased for those individuals convicted of cruelty to animals. This includes dog-fighting rings. As it stands now, the penalty for shoplifting or stealing is stiffer then for someone who inflicts pain and/or death on a non-human living being. (Personally, I'd love to subject the human to the same cruel treatment they inflicted on an animal.)
- A contact/office/bureau in the Commonwealth should be established so that families of animal hoarders can seek guidance on how to handle the situation before it gets out of hand. Individuals deemed to be "hoarders" should receive the necessary medical treatment and probation or commitment to a mental facility pending evaluation in lieu of fines/jail times. These are well meaning individuals who unintentionally allowed a situation to get out of hand.
- The **dog laws must be applicable to everyone** in the Commonwealth of Pennsylvania, **including the Amish**. If these individuals want to raise dogs as a business, they should have to conform to all the dog law regulations and inspections as well as other business-related laws, regulations, and guidelines. I recognize that not all individuals view dogs as anything other than as a profit making endeavor. However, a puppy mill is a puppy mill and most of those do not meet any established criteria for sanitary and humane conditions not to mention the ethical treatment of the dogs.
- Puppy mills should be more adequately and specifically addressed and every effort should be made to close them down with stiff penalties/fines being assessed on those who do not cease operation immediately. Repeat offenses should be treated more severely with each occurrence.
- The issue of backyard breeders should be addressed. Backyard breeders are only low-scale puppy mills. All one has to do is read the ads in the paper to ascertain who are the backyard breeders. They are running a business involving animals and should be subject to the same laws, regulations, and guidelines. They should also be assessed any applicable penalties for noncompliance to these.
- A cap (say \$200) should be placed on what a non-purebred dog can be sold for. This would aid in reducing/eliminating puppy mills and backyard breeders. Especially those breeding and selling "designer" dogs. The drawback to this is that the backyard breeder would overbreed/inbreed their dogs more often during the year in order to make more money. This is probably happening now.

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- Hobby breeders (and I understand there is a fine line between backyard breeders and hobby breeders) and show breeders should have to be licensed/registered with the Commonwealth. Most of these individuals are responsible people who care deeply and adequately for their dogs. However, it is still a business. On the other hand, if a similar licensing/registering/inspection process does not apply to livestock (i.e., horses, cows, pigs, sheep, cats, rabbits, etc.) it should not apply to dogs either.
- “Outdoor facilities, including runs and exercise areas shall be kept free of grass.” This was noted on the Harrisburg Kennel Club’s website; however, other than the reference to the military’s dog maintenance requirements, I cannot find this in any of the documents that I have. Nevertheless, in case it is there and I missed it, this appears to be a no win situation for the dog. If areas of grass can be provided, why not allow it? True it is easier to wash off cement/concrete that too can be dangerous in the summer when it heats up (resulting in burnt pads on the dog’s feet or escalating heat exhaustion because it reflects heat to the underbody of the dog) or in the winter when, through the pads of the dog’s feet, the cold is transmitted quicker to the dog’s body. Exercising on grass is easier on the dog’s musculature as it is a softer more pliable surface than concrete. It is also safer should the dog land improperly or trip when running. A mix of grass and concrete would be the idea situation for a dog. If the issue is that grass is harder to keep clean, what about kennels with concrete runs/exercise areas that are not properly cleaned and sanitized? Let’s face it, when it rains or snow melts dog waste that is on grass is taken care of by Mother Nature in that it is biodegradable. Allowing a dog access to grass is not detrimental to the dog. No matter whether the dog is kept on grass, dirt, concrete, macadam, caged, in a structure – if the area is not regularly maintained, it is unsanitary for animals and people.
- The proposed changes include the inspection of non-profit organizations with dog housing facilities and foster homes that have a combined total of 26 or more dogs annually going through their “doors.” I feel that non-profit organizations that primarily utilize foster homes versus established kennel sites should be exempt from the inspection process. These groups have a tough enough time getting and keeping volunteers. In addition, what purpose would it serve to subject the individual homes to an inspection? Animals in foster homes are predominately well taken care of. Why place an additional burden (i.e., inspections; excessive recordkeeping) on individuals and their related organizations when they are trying to alleviate an animal’s suffering or who are taking care of an animal because it was discarded by another person? Do not penalize all the rescue organizations because of one or two that have/had problems. Foster-homed animals are more often than not allowed supervised free access in the home and/or yard, they are exercised, groomed, fed, watered, sheltered, spay/neutered, and receive any necessary veterinary care. Several rescue organizations are now utilizing Certified Animal Behaviorists to evaluate and work with the animals. Most rescue organizations impose strict criteria on the adopter before the animal is released to that person. Follow-up visits/calls with the adopter are also done by most organizations via the foster parent. Oddly enough the Humane Society is one who does/did not impose stipulations on the adopter prior to releasing the animal; nor in the past did they do follow ups on the animals they adopted out.

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- I could find no comparison of existing specifications for kennels and exercise areas versus the proposed changes. Without a doubt all kennels (*excluding non-profit organizations utilizing foster homes*) should be inspected regularly for safety issues, cleanliness, care of the animals, veterinary care, spay/neutering policy, exercising of the animals, etc. New kennels could be required to meet the new standards; kennels established prior to the enactment of the changes to the dog law could be exempt. However, renovations made to an existing kennel could be required to meet the revised kennel regulations.
- Animal rescue organizations should have to have a dog evaluated by a veterinarian or an animal behaviorist that is returned by the adopter because it is aggressive in any way. Strict consideration should be given to the specifics of the aggression's circumstances. While it is a sad fact of life, a dog returned three or more times because of aggression should be euthanized for its own sake as well as the general public.
- Consideration needs to be given to those dogs tied out in backyards. They may have a form of shelter, and may be fed and watered enough that the owner avoids being charged with abuse. However, many times neighbors feed/water the dog which then means no charges can be brought against the animal's owner since it is not starving or malnourished. Some breeds or mixed breeds are definitely outside dogs. However, the situation should be evaluated over time to ascertain if it is neglect, stupidity, or the nature of the dog.
- Veterinarians should be required to check each dog it handles to ensure that it has an up-to-date dog license (i.e., annual or lifetime) for any dog over the age as specified/required in the dog law. If the dog is not properly licensed, the veterinarian should inform the dog's owner of the law. The professional should also report the unlicensed dog to the Dog Law Bureau for follow-up. Here is an area that is easily enforceable. The existing dog law includes a penalty for not having a dog properly licensed.
- The Commonwealth of Pennsylvania should impose reasonable educational/experience criteria on those individuals in the state who claim to be "dog trainers." Currently, anyone can claim to be a dog trainer. Dog trainers should have to register with the state and provide their educational/experience background as well as any related organizational affiliations (who often have strict requirements for membership) before receiving a certificate from the Commonwealth allowing them to take on clients whether it be in classes or privately. They should also have to have had training in Pet First Aid and be recertified every three years. Unfortunately, a certificate of education/experience will not weed out or prevent the idiot dog trainer to infiltrate this area.

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Educate the Public

- Money would be well spent in consistently educating the public via media and the hiring of staff to visit schools, have booths at events, etc.; hiring more staff to investigate true animal cruelty cases; working with animal rescue groups to ascertain where they find more cases of litters occurring or neglected animals being turned in or found.
- The Department of Agriculture, Department of Education, local police departments, media, animal care professionals, trainers, animal rescue organizations, and animal response teams throughout the state should work together to promote positive animal care.
- While I fault the various animal organizations and breeders of purebred animals for not doing more in this area, educate the public to understand that any dog of non-pure lineage is a “mutt,” plain and simple. And that no matter what fancy name it is given (i.e., puggles, cock-a-poo, labradoodle, peek-a-poo), it is still a mixed breed. Let the public know that despite the breeders’ of these dogs claims, no guarantees can be made to the shedding, personalities, etc. of these dogs. This could aid in reducing the number of backyard/hobby breeders as well as the puppy mills.
- All schools should be made to include from kindergarten on up, sessions on the ethical and proper treatment of animals as well as the proper interaction with other humans. Anger management and self-control should be taught from kindergarten on up through the work experience. It should not be a “feel good” session. It should be a reality session that life is unfair and can be miserable at times. That in no way entitles the person to take out their problems on another. How does this relate to animals? Usually the first victim of cruelty is an animal and then it escalates to humans.
- Provide incentives to individuals to get their animals spayed or neutered whether it be cats, dogs, rabbits, or guinea pigs. Again, the Humane Society in this area was one of the last to spay/neuter animals before adopting them out whereas many of the other rescue organizations were spay/neutering animals prior to allowing them to be adopted.
- Require that the various forms of the media devote at least a monthly, if not weekly or daily, public service announcement or program promoting the various positive animal related activities, organizations, groups, projects, animal care tips/reminders, hotlines, etc. Included should be public service announcements to have people turn in their unwanted animals to an organization rather than killing or attempting to kill it. (Note: If absolutely necessary, let the animal be turned in anonymously. Better that than having it suffer because some idiot attempts to kill it by throwing it in a river, running it over with a vehicle, banging its head on the ground.)

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In Summary

- Go after the real animal issues in Pennsylvania (i.e., dog fighting, puppy mills, backyard breeders, true animal cruelty cases).
- Do not penalize all non-profit organizations for the errors of one or two. These people have a tough enough job. Putting additional or unreasonable burdens on them will drive away people; thus, possibly relegating animals to an even worse fate or treatment.
- Work with the various animal groups to come to an understanding/compromise.
- Encourage the public to be part of the solution rather than the problem.
- Educate! Educate! Educate!

There is no easy solution, nor will you please everyone.

Let Pennsylvania take a step forward and be a leader in the care of animals. Pennsylvania should recognize those who ARE doing what they can to care for creatures who give nothing but love in return. After all there is no profit for the rescue organizations and people who are fostering animals, other than fulfilling a need and knowing at least someone cares.

Thank you for your time and attempts to provide a better place for Pennsylvania's animals.

Sincerely,

Susan A. Jones
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Harrisburg, PA 17109