

# Black Wednesday For Dog Owners

## Animal Rights Wins In Dallas, California, Pennsylvania

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Wednesday was a black day for dog owners all across America, as animal rights extremists posted legislative victories in Dallas, California and Pennsylvania.

Dog owner advocacy groups fought hard in all three contests and had clear majority support, but animal rights groups such as People for the Ethical Treatment of Animals and the Humane Society of the United States cashed in political chips with elected officials.

PETA and HSUS have been infiltrating local and state advisory boards for many years, backed by a war chest exceeding \$150 million, hundreds of paid employees and thousands of volunteers.

Apathy remains the greatest problem faced by dog ownership advocacy groups.

Wednesday's votes also highlighted what is rapidly becoming a partisan division on animal rights legislation. In general, almost all Republicans voted against the legislation, and almost all Democrats voted for the bills. The Democratic Party appears to be lining up behind the animal rights agenda in support of its presumptive presidential candidate, Barack Obama. Obama has expressed strong support for animal rights.

Here is a summary of the four issues decided this week:

- In Dallas, City Council voted 10-3 to pass an animal control ordinance requiring mandatory pet sterilization, expensive permits to own intact dogs and cats, mandatory microchipping and pet ownership limits. The ordinance also bans tethering of dogs and imposes strict requirements for keeping dogs outdoors. Home inspections also are authorized.
- In California, the Senate Local Government Committee voted 3-2 to approve AB1634, which now will be sent to the Senate Appropriations Committee. If this committee approves, it will be sent to the legislature for a vote. This bill allows any person to act as a vigilante and report any dog owner for an unsubstantiated violation of any animal law. If any animal control officer agrees, the accused person will have a choice between paying a fine or sterilizing the animal. People who are accused of anything have no right to defend themselves or to appeal. An accusation is automatic guilt.
- In Pennsylvania, the House Rules Committee voted Tuesday to approve HB2532, which is a de facto ban on tail docking, dewclaw removal and ear cropping. In the absence of proof that the procedure was performed by a veterinarian, the mere possession of a dog that has had one of those three procedures subjects an owner to a criminal citation for animal cruelty. This bill would

destroy many rescue operations, dog shows, competitive events and field trials in Pennsylvania and result in the deaths of thousands of dogs. This bill now goes to the full House for a vote, and then to the Senate.

- Also in Pennsylvania, the House Agriculture Committee approved amendments to the state dog and kennel law that fall short of changes that were promised to dog owner advocacy groups. The actual text of this legislation was not available at this writing, and a follow-up report will be issued when the revised legislation is available. This bill now goes to the full House for a vote, and then to the Senate.

Please see below for more detailed descriptions of all four issues.

Dog ownership advocates clearly outnumbered animal rights sympathizers in public hearings on all four pieces of legislation, as well as in written comments, emails and phone calls received by elected officials. However, many of those officials chose to ignore our voices, and that is doubly true of the Democrats. We are not saying this to be partisan, as many of our officers and members are loyal Democrats. We simply are stating a fact. Democrats voted against animal owners this week by a shocking margin, and we urge dog owners who are registered with this party to work to reverse this policy.

Advocates of dog owners' rights also were hurt by the apathy of many people who support us, but who did little or nothing to voice that support to elected officials. At the Senate hearing in California, for example, only about 10 people showed up. In Dallas, about 200 dog ownership advocates attended the hearing, but that is a tiny percentage of the estimated 300,000 pet owners in the city. Attendance at the two Pennsylvania hearings was described as moderate.

Apathy by the large but silent majority of dog owners is a major component of the animal rights strategy. While we outnumber them 100-to-one, most of us don't get involved. In contrast, animal rights groups rely on an almost religious fanaticism by their supporters to gain a high percentage of participation.

The American Sporting Dog Alliance urges every dog owner in America to join one or more of the several fine organizations that are fighting for your rights. Each of these organizations has its own niche, but all are excellent and deserve your support.

We welcome your membership and hope you will participate fully in our programs. Please visit us online at <http://www.americansportingdogalliance.org>.

Please stand up and be counted now!

We also ask all dog owners who belong to field trial clubs, sportsmen's organizations, show specialty clubs, breed clubs and event clubs to urge those organizations to take an active political role to defeat animal rights legislation.

The American Sporting Dog Alliance also is urging dog owners to boycott all dog events in the City of Dallas for their own safety. Under the terms of the ordinance, even a visitor to the city is subject to citations, fines and dog confiscations. It is known that PETA plans a protest at a July dog show in Dallas, and we expect them to report show dog owners for alleged violations of the ordinance. Because the Dallas animal commission is dominated by PETA members, we expect that there will be a move to raid this dog show. All professional handlers would be in violation of the possession limit of six dogs, and none of the dogs are expected to have a required Dallas breeding or intact permit.

If the Pennsylvania and California legislation becomes law, it will not be safe for anyone to attend a field trial, dog show or performance event in those states, or even to visit, pass through or take a hunting trip there.

We urge all clubs to cancel or move planned events in Dallas now, and also in Pennsylvania and California if their legislation is signed into law. We believe that clubs have an ethical obligation to protect the safety of participants and their dogs.

Continued apathy and non-involvement will doom dog ownership in America, as well as hunting, field trials and other dog events. We can't do it without you.

Here are the highlights of the four pieces of legislation that were voted on this week.

## California

We support the first part of AB1634, which calls for fines for dogs that are allowed to roam and mandates sterilization after the third offense.

However, the second part of the legislation violates basic constitutional rights and human decency.

Here are the provisions of the second part of the legislation (Italics are direct quotes, and words that are not italicized are our comments):

- "The owner of a nonspayed or unneutered dog that is the subject of a complaint may be cited and pay a civil penalty as provided in this section. This civil penalty shall be in addition to any fine, fee, or penalty imposed under any other provision of law or local ordinance." In the first sentence, the committee substituted "may" for "shall," which appears to leave the issuance of a citation up to the discretion of an animal control officer. However, the basis for this decision is not defined.

- "The owner of the dog shall pay the civil penalty to the local animal control agency within 30 business days of the citation. The local animal control agency shall waive the civil penalty if, within 14 business days of the citation, the owner of the dog presents written proof from a licensed veterinarian that the dog was spayed or neutered." There is no provision for a dog owner to defend him/herself in court or at a hearing, and no appeal is allowed. If you are accused, you are guilty. Period. This is a violation of constitutional guarantees of due process and equal protection under the law.

- " 'Complaint' means an oral or written complaint to a local animal control agency that alleges that the dog or

*the owner of the dog has violated this division, any other provision of state law that relates to dogs, or a local animal control ordinance. 'Complaint' also means the observation by an employee or officer of a local animal control agency of behavior by a dog or the owner of a dog that violates this division, any other provision of state law that relates to dogs, or a local animal control ordinance." An example of what this means is that a hunting or field trial dog that is in excellent health and conditioned for performance could result in a complaint of animal cruelty if anyone believes the dog looks thin.*

•□□□□□□□ " 'Local animal control agency' means any city or county animal control agency or other entity responsible for enforcing animal-related laws or local animal control ordinances." This includes Humane Societies and other animal welfare organizations empowered to enforce animal cruelty or other dog laws. Many members of these groups support a radical animal rights agenda.

The Senate Local Government Committee approved this legislation by a party-line 3-2 vote Wednesday, with Democrats in the majority. It now goes to the Senate Committee on Appropriations, and then to the Senate floor for a final vote.

Please contact members of the Appropriations Committee immediately to voice opposition to the second half of this bill, and also individual senators.

This link gives contact information for committee members:

<http://www.senate.ca.gov/ftp/sen/committee/STANDING/APPROP/home1/PROFILE.HTM>. The committee meets on Monday.

This link gives contact information for all senators:

<http://www.senate.ca.gov/~newsen/senators/senators.htm>. While Sen. Michael Machado voted for this bill on Wednesday, he expressed many concerns and might be convinced to change his vote.

## Dallas

Here is a summary of the dog ordinance passed Wednesday by the Dallas City Council by a 10-3 vote. The ordinance:

- Creates a permit for a dog or cat used for breeding or competition. The cost of the permit is \$70 annually for each animal, plus the regular license fee of \$30. There is no grace period or exclusion provided for new residents or people who are visiting Dallas, including participants in dog shows or other events. Visitors can be cited, and we expect that they will be cited.
- Requires all other dogs or cats to be spayed or neutered.
- Limits a single household to a total of six cats and/or dogs. People owning more than a half-acre of land would be allowed eight. People who currently own a greater number of animals could apply to the city to be allowed to keep their animals without penalty, but they would not be allowed to buy a dog or breed a litter of puppies until their number of dogs drops below the limit. The ordinance applies to anyone

who "harbors" more than six dogs, which includes many visitors and participants in dog shows and other events. Almost all professional handlers would be in this category, as well as many owner/handlers.

- Subjects anyone who harbors a group of dogs that exceeds the limits to unannounced inspections. This would include participants in dog shows or other events.
- Mandates microchipping of all dogs and cats, including those of visitors.
- Prohibits tethering of unsupervised dogs to trees or poles except "for a period no longer than necessary for the owner to complete a temporary task."

- Forces owners to provide at least 150 square feet of space and a building or designed doghouse for a dog confined outdoors.
- And provides for confiscation of allegedly dangerous dogs, and other penalties.

Please contact us at [asda@csonline.net](mailto:asda@csonline.net) if you would like to participate in legal action or boycotts related to the Dallas ordinance.

## Pennsylvania

Dog owners in Pennsylvania were beset by two pieces of bad legislation this week.

HB 2525 regulates a million dog owners and owners of 2,700 licensed kennels in the state. It passed the House Agriculture Committee by a 17-12 vote Wednesday. All but one Republican (Rep. K. Boback) voted against the bill, and all Democrats (the majority party) voted in favor of it.

It appears that the final bill reflects some of the promises made to dog ownership advocacy groups during the past several months of negotiations, but that the Democrats have reneged on other promises.

Some dog owners groups have withdrawn their opposition to this legislation, but the American Sporting Dog Alliance continues to oppose it in its present form. While we support changes that affect commercial breeders, these represent only a small part of HB 2525. The rest of the bill has serious impacts on all dog and kennel owners. The text of several amendments has not been published thus far We will issue a full report on this legislation in the next couple of days.

The other legislation is HB 2532, which provides what amounts to be a de facto partial or complete ban on tail docking, ear cropping and dewclaw removal by anyone except a licensed veterinarian. Although most other dog owners' organizations have not taken a clear public stance on this bill, the American Sporting Dog Alliance categorically opposes it.

HB 2532 passed the House Judiciary Committee by a 28-1 vote Tuesday, with only Republican Rep. T. Creighton voting "no."

The bill allows owners to dock the tails of puppies until they pass three days of age, and to remove dewclaws during the first five days. However, the burden of proof is placed on a dog's owner to prove that this work was done legally before the age limits, or by a veterinarian. It would be difficult for most dog owners to prove this, and a large majority would not be able to prove it. The simple possession of a dog with a docked tail or a lack of dewclaws would be considered evidence of an animal cruelty violation, if the owner cannot prove his/her innocence.

The bill continues a total ban against ear cropping, except by a veterinarian, and anyone who is found in possession of a dog with cropped ears is automatically guilty of criminal animal cruelty in the absence of proof.

For all of these procedures, HB 2532 struck out a provision that would have exempted dogs if their owners filed an affidavit with a county treasurer that the work was done before the bill is passed.

That means a large majority of owners of many of the most popular breeds will have no way of proving that they have complied with the law. These procedures were done legally in the past on many dogs, or legally by breeders in other states. In many cases, a dog owner has no idea who performed these procedures. Thus, they would be guilty of criminal animal cruelty for noncompliance.

This legislation will destroy rescue work for many breeds if it is signed into law. Most dogs that are assisted by rescue groups, animal shelters and private individuals either come from unknown sources, or do not come with medical records. There will be no choice except to euthanize these dogs, since it will be impossible to establish their legality.

This legislation also will have a severe impact on people who live in other states. On one level, Pennsylvanians will no longer be able to buy puppies from dozens of breeds from nonresident breeders who perform these procedures legally in their home states.

On another level, Pennsylvania professional trainers and handlers will not be able to accept many dogs from out-of-state customers, because proof will not be available.

But a larger impact will be on thousands of people who own dogs and come to Pennsylvania for a vacation, to hunt, or to compete in field trials, dog shows and other events. Anyone who brings a dog with a docked tail, missing dewclaws or cropped ears into Pennsylvania is subject to arrest for criminal animal cruelty charges.

This will affect many very popular breeds of dogs, such as almost all Continental breeds of pointing dogs, flushing dogs, terriers and many working dogs, such as rottweilers and doberman pinchers.

The bill now moves to the full House for a vote. Please contact your own legislator and as many others as possible to express opposition to this legislation. Contact information can be found at:  
[http://www.legis.state.pa.us/cfdocs/legis/home/member\\_information/representatives\\_alpha.cfm](http://www.legis.state.pa.us/cfdocs/legis/home/member_information/representatives_alpha.cfm).

Here is a link to the text of the legislation:

<http://www.legis.state.pa.us/CFDOCS/Legis/PN/Public/btCheck.cfm?txtType=HTM&sessYr=2007&sessInId=0&billBody=H&billTyp=B&billNbr=2532&pn=4030>

The American Sporting Dog Alliance represents owners, hobby breeders and professionals who work with breeds of dogs that are used for hunting. We are a grassroots movement working to protect the rights of dog owners, and to assure that the traditional relationships between dogs and humans maintains its rightful place in American society and life. Please visit us on the web at <http://www.americansportingdogalliance.org>. Our email is [ASDA@csonline.net](mailto:ASDA@csonline.net). Complete directions to join by mail or online are found at the bottom left of each page.

The American Sporting Dog Alliance also needs your help so that we can continue to work to protect the rights of dog owners. Your membership, participation and support are truly essential to the success of our mission. We are funded solely by the donations of our members, and maintain strict independence.

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