

Buchanan, Rita

From: cityclerk
Subject: FW: Mandatory Spay Neuter

From: William Cartwright [<mailto:wmcartwright@gmail.com>]
Sent: Monday, October 27, 2014 10:31 AM
To: Bogaard, Bill
Subject: Mandatory Spay Neuter

Dear Mayor Bogaard,

I urge you to oppose (or at least table) the Mandatory Spay/Neuter ordinance before tonight's vote. The measure, is deeply flawed, counterproductive, and will not be effective in reducing intakes or euthanasia rates, but it will put the health of well-loved dogs in peril.

Those of us who keep, love, and train canine athletes know how injurious it is to perform early gonadectomies on dogs. This knowledge is backed up by recent major studies showing premature spay/neuter leads to much higher rates of hip dysphasia, torn ligaments, higher cancer rates, and obesity. This is a radical and destructive operation when done too early. Bone plates do not close properly and naturally when dogs are neutered early. It robs the animals of the opportunity to develop naturally.

Against this we have a shared desire to end the cycle of irresponsible dog breeding, dumping, and euthanasia. There are many cases where low-cost voluntary spay/neuter is the right option for pet owners. Let's support those who make that choice, without potentially criminalizing the most engaged, active, and responsible dog owners.

The best way to keep dogs from being euthanized in shelters is to have high return rates to owners. The best way to have high return rates are to have high rates of dog licensing and microchipping. Yet, in every municipality that has enacted Mandatory Spay Neuter dog licensing rates have dropped (often precipitously). Instead of helping reduce the destruction of animals, MSN laws compound the problems. Onerous laws break the social contract. Responsible people who are convinced by the medical evidence that early castration is bad for their animals are put in an awfully bad position by ordinances such as these.

Instead of alienating those who care most about their animals health, wouldn't it be far better to have us allies in reducing euthanasia rates?

Right now Pasadena requires permits for things as simple as "garage sales," and there is enforcement. Why not enact and enforce ordinances against so-called "backyard breeders" who breed dogs without regard to their medical histories, without X-rays to test for hip dysphasia, or eye exams, or other breed specific genetic maladies?

Why not enforce ordinances against irresponsible breeding and the sales of puppies through venues such as Craigslist in the City. This would make a difference.

Also, let's not criminalize the people who are legitimate dog breeders. The people who take great care to advance breeds. People who test their animals for medical issues, genetic issues, and who only breed dogs of the best temperament. These people, ethical breeders, are the people we ought to be encouraging. These people are most hurt by this ordinance, which is topsey-turvey to good public policy.

The unethical people who churn out the Pit-bull, Chihuahua (and other) mixes with no attention paid to breeding sound and stable animals unlikely to be deterred by this ordinance. They have little to lose. But people who often spend lifetimes to advance breeds have a great deal to lose. As do we all when they are driven out of their hobby by ill-conceived legislation.

Please stop and reconsider. Those who actively oppose this MSN law are people who care deeply about the well being of animals. Work with us positively.

This is not good policy.

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Respectfully,

William Cartwright

Buchanan, Rita

From: cityclerk
Subject: FW: Agenda Item 19: Mandatory Spay Neuter Ordinance -- Opposed

From: Anne Dove [<mailto:annedove@me.com>]
Sent: Monday, October 27, 2014 10:15 AM
To: Bogaard, Bill; district1; Morales, Margo; Cruz, Christian (Field Rep); West, Jana; Sullivan, Noreen; De La Cuba, Vannia; Madison, Steve; Tornek, Terry
Subject: Agenda Item 19: Mandatory Spay Neuter Ordinance -- Opposed

Mayor Bogaard, Vice Mayor Jacque Robinson, Councilmember McAustin, Councilmember Kennedy, Councilmember Masuda, Councilmember Gordo, Councilmember Madison and Councilmember Tornek:

As a Pasadena resident, and an individual personally concerned and committed to animal welfare, I urge you to reconsider the mandatory spay-neuter (MSN) ordinance. You have been provided information from a variety of credible sources outlining why MSN ordinances are ineffective and unfair and how an emerging body of scientific literature is showing that juvenile and adolescent spaying and neutering can be harmful. It's not clear why this information is not being considered by those members of City Council supporting this ordinance because on balance, it is clear that the responsible action is to reject this ordinance.

On a personal level, I am involved in a variety of dog sports, pure-bred dog breeding, and am a board member of both a regional and national dog breed club, both of which maintain codes of ethics. My dogs meet several criteria for unaltered dog licenses. I take my responsibilities as someone involved in these endeavors very seriously yet I still think this ordinance is poor public policy.

I spent two years searching for a female with which to start breeding because of my level of commitment to being a responsible breeder. This "hobby" isn't something I, or other responsible breeders, take lightly, and it is often a lifetime commitment and investment. People involved in hobby breeding, such as myself, invest not only significant time and money in purchasing healthy, quality pets, but in health screening and taking care of our dogs and to call it a "hobby" understates the significant role dogs have in our lives. To have that taken away because of a draconian "one strike" mandatory spay-neuter policy will create an atmosphere of fear and the sense that owning an intact animal and engaging in this hobby is being criminalized by the City of Pasadena.

I always saw PHS as an advocate for animals and responsible pet ownership, but to require spaying and neutering after having your dog at the shelter ONCE reveals that this is not the case. This criterion is completely unreasonable, and if there was truly concern about accommodating responsible owners of intact dogs, this part of the ordinance would not be so harsh. As someone who would be directly affected, it appears to me a "gotcha" opportunity to indirectly close the "loophole" for responsible, intact dog owners.

As I mentioned, my dogs more than qualify for an intact dog license, but there have been several occasions when my dogs have been loose that were largely beyond my control. If PHS had picked

up my dog or someone had taken my dog to the shelter under this ordinance, these mishaps would have resulted in them having to be spayed or neutered which is absurd and extreme:

- When walking my two dogs in my neighborhood, a pair of dogs burst through their gate and attacked my dogs. In the fray of trying to protect my dogs, I dropped the leashes and one of my dogs ran away (fortunately, she ran home).
- Following the wind storms that caused so much damage in Pasadena, a side fence was destroyed. My neighbors, with whom I share that fence, offered to set-up a temporary barrier until a new fence could be built as they also have dogs. However, they have giant breed dogs and were not aware that their temporary fence was not adequate for my smaller dogs so one of my dogs got into their yard and then out through their driveway gate. Fortunately, I was able to quickly identify that my dog got out and retrieve him.
- Someone tried to gain entry into my backyard in the middle of the night, leaving the gate ajar. When I let my dogs out in the morning, I was unaware of this and one of my dogs escaped through the gate, but I noticed immediately and got her back quickly.

And on yet another occasion, I had neighbors going through an ugly divorce. Though we had been neighbors for several years with no problems related to my dogs, the husband called PHS to complain about my dogs barking. PHS determined I hadn't violated any law and that the call was likely the result of displaced anger about his personal problems, but it could have gone another way depending on the staff involved. And had there been one other complaint, I could have lost the ability to ever have an unaltered dog license again.

One would hope that PHS staff would consider the circumstances that led to a dog being in their facility and not enforce the spay-neuter requirement, but that is little assurance for someone like me who has so much at stake when the ordinance plainly states they do not have to take this into consideration. Ironically, this ordinance has evolved from being about protecting the community from dangerous, aggressive dogs to being a harsh, misdirected effort that will punish some of the community's most responsible dog owners. In the first scenario above, my dogs were attacked by a pair of pit bulls. Yet had my dog been picked up by PHS, I could have been the one punished by having to spay my dog to reclaim her from the shelter.

Should there continue to be majority support for this ordinance, I would request that the criteria for unaltered dog license revocation be rewritten to be more reasonable. There should be provisions for an alternative "penalty" like a fine or a change from "one strike" to more. As written there is no formal provision to consider why the dog was loose, no additional "chances" and no option to relocate/rehome the dog with a co-owner or family member to protect people with unaltered, breeding dogs. It's not uncommon for show dogs to be "co-owned", a relationship that is recorded with AKC and thus can be demonstrated through documentation. The co-owner not residing in Pasadena should have the ability to retrieve the dog, intact, if they will home it outside of Pasadena.

Lastly, PHS should also be required to collect rigorous data and report back to City Council regularly on how this ordinance is affecting the community. Unfortunately, with their recently expanded education and outreach capacity and expanded spay-neuter services though, it will be difficult to gauge which "tool" is affecting any changes but the community deserves to know the impacts of this ordinance.

Thank you,

Anne Dove
Pasadena, District 2 resident

Buchanan, Rita

From: cityclerk
Subject: FW: FOR OFFICIAL RECORD - Proposed Mandatory Spay/Neuter Ordinance - OPPOSED

From: CAROLE RASCHELLA [<mailto:carole@raschella.com>]
Sent: Friday, October 24, 2014 4:55 PM
To: Morales, Margo
Subject: FOR OFFICIAL RECORD - Proposed Mandatory Spay/Neuter Ordinance - OPPOSED

FOR OFFICIAL RECORD

Proposed Mandatory Spay/Neuter Ordinance

I sent this letter to you prior to that first fiasco of a hearing held on October 6th. Even though it seems quite obvious that, with the exception of Councilmembers Tornek, Kennedy and Robinson, no one on this Council a. read it, b. was capable of reading it, or c. gives a crap about facts, statistics, or their constituents, I am, ever the optimist, sending it again:

I am a Director with the California Federation of Dog Clubs, founded more than 20 years ago to fight for the health and welfare of dogs and the rights of their owners. My only question for you is **WHY?** What purpose is your proposed changes to the law supposed to have other than making pet ownership more and more difficult? What do you have against intact dogs?

I am sure you have been presented with reams of statistics and info that mandatory spay/neuter doesn't work (if not, I can certainly provide them). In fact, rather than saving lives and lowering costs, it has the opposite effect, increasing numbers in shelters and therefore the number of dogs killed. It also increases the expenses, and has proven health complications, including the risk of dying during surgery (as happened to my beautiful, happy, healthy 5-year-old dog). And by creating restrictions that 95% of hobby breeders can't possibly meet, you are making breeding illegal. Why? Do you really want to eliminate all dogs? Any student of Biology 101 can tell you that will be the eventual outcome. As for the myth of pet overpopulation, that is no longer the case. There are shortages of dogs in many areas and whole new industries are springing up in the transportation of dogs. It even has a name: retail rescue.

Los Angeles happens to have a great number of Chihuahuas, which isn't surprising considering that thousands of them are smuggled across the border every year. And Pit Bulls, which is due to their popularity with gangs. That's it. Two breeds, although Pit Bull is actually a type, not a breed and most of the time misidentified (as we have seen in the Breed ID Workshops CFODC presents to shelters and their employees).

So how does sterilizing all mixed breeds and, with a few minor exemptions, all purebreds, have any effect whatsoever on the number of Chihuahuas and Pit Bulls in LA shelters? Obviously, it doesn't, so let's go back to my original question... Why?

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This is a nasty, malicious, spiteful law. One violation and ALL the owner's dogs are sterilized? Intact license revoked based on something that may have happened 20 years ago? And of course that one about sterilization on first impoundment even if the gardener left the gate open. What is WRONG with you? Why are you being so petty, so vicious and mean? Are you like this to everyone or just dog owners?

It's so wrong I don't know where to begin. I just want to know WHY. And by the way, if you insist on clinging to the myth of pet overpopulation, then what does sterilizing a dog for barking have to do with it?

Four years ago, I and many, many others made the long trip to Sacramento to fight against AB 1634, the proposed law to make mandatory spay/neuter a state law. It was defeated, for all the reasons I have just mentioned, but also because people DO NOT WANT IT! Don't you care that the citizens of California, and therefore Pasadena, don't want this?

I personally happen to believe the statistics that say sterilizing (mutilating) dogs shortens their lives, and leads to endless physical problems, including cancers of all kinds. Whether YOU believe it or not is irrelevant. These are my dogs, not yours, and yet you want to destroy their quality of life. I have never bred a dog or ever plan to...why are my dogs being punished for something they did not create?

And so we come full circle...WHY?

By the way, before you throw these onerous laws on Pasadena's dogs, how about looking at the THOUSANDS of dogs imported into this country every year from third world countries? Don't believe me? Look it up! The end result of your proposal will be the elimination of healthy, well-adjusted American dogs, to be replaced by street dogs entering this country with rabies, as well as diseases we eliminated years ago. Is this what you want for your children and grandchildren?

Carole Raschella
Director
California Federation of Dog Clubs

MARLA TAUSCHER
ATTORNEY AT LAW

October 8, 2014

Pasadena Mayor and City Council Members

bbogaard@cityofpasadena.net
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Re: Issues Related to the Operation of the Pasadena Humane Society and its Finances

Dear Mayor Bogaard and Council Members:

I went to the Pasadena Humane Society (“PHS”) this afternoon to get a dog license and while I was there, I witnessed an extremely disturbing transaction involving the impoundment of two cats that were brought in by a woman who claimed to have trapped them in her yard. The woman made very clear that the cats did not belong to her, that they were among a number of cats that have been living on her property for some time. Nonetheless, the staff member from PHS told the woman that, because she [the woman] seemed to know the most about the cats (compared to whom was unclear), that PHS would consider her the “owner” for the purposes of bringing the cats to PHS.

The staff member then handed the woman two forms to complete. One of those forms is entitled *Statement of Surrender* and the staff member instructed her to check the box indicating that she was the “owner” and to check the additional boxes relinquishing her interest in the animals and acknowledging that the animals may be killed by PHS. The other form, entitled *Authorization to Perform Euthanasia*, required that the woman certify that she was the owner of the cats. The PHS staff member said, “We’ll just consider you the owner.” She then said that PHS would label the cats “feral” for intake purposes and explained that if the woman really owned the cats (as opposed to them being feral), she would have to pay a \$25 relinquishment fee for each cat.

Before I left PHS, I asked another staff member for blank copies of the documents that the other woman had been asked to complete. The staff member reluctantly handed them to me, but when I went to put them in my purse, she asked for them back, stating that PHS is a nonprofit and can’t afford to give away papers if I did not intend to use them. I took photos of the documents, which I have attached to this letter for your perusal.

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The impound of those cats under those circumstances violated not only basic property laws, but also a number of state laws governing animal shelters:

Violation of California Food and Agricultural Code §31752.2, which provides:

(a) Upon relinquishment of a cat to a public or private shelter, the *owner of that cat shall present sufficient identification to establish his or her ownership* of the cat and shall sign a statement that he or she is the lawful owner of the cat.

(b) *Any person who provides false information* pursuant to this subdivision about his or her ownership of the cat shall be liable to the true owner of the cat in the amount of one thousand dollars (\$1,000). [emphasis added].

In this transaction, PHS did not even ask for any identification from the woman who brought in the cats, much less try to establish ownership. It is entirely possible that the cats belong to someone in the woman's neighborhood. The purpose of this particular requirement (and parallel requirement for dogs in Food & Ag. §31108.5) is to prevent people from turning in cats or dogs that are owned by someone other than themselves for improper reasons, e.g., angry former spouse relinquishes a pet to a shelter to retaliate against the other spouse. There was no effort whatsoever made by PHS staff to ascertain ownership of the cats in question.

PHS staff not only failed to ask for any identification from the woman who brought in the cats, the woman told them that she was not the owner. Nonetheless, the staff member said they would consider her the owner anyway.

Violation of California Food and Agricultural Code §31752, which provides in pertinent part:

(a) The *required holding period for a stray cat impounded pursuant to this division shall be six business days*, not including the day of impoundment, except as follows:

(1) If the public or private shelter has made the cat available for owner redemption on one weekday evening until at least 7 p.m. or one weekend day, *the holding period shall be four business days*, not including the day of impoundment. [emphasis added].

Violation of California Food and Agricultural Code §31752.5(c) which provides:

(c) Notwithstanding Section 31752, if an apparently feral cat has not been reclaimed by its owner or caretaker *within the first three days of the required holding period, shelter personnel qualified to verify the temperament of the animal shall verify whether it is feral or tame by using a standardized protocol*. If the cat is determined to be docile or a frightened or difficult tame cat, the *cat shall be held for the entire required holding period specified in Section 31752*. If the cat is determined to be truly feral, the cat may be euthanized or relinquished to a nonprofit, as defined in Section 501(c)(3) of the Internal Revenue Code, animal adoption organization that agrees to the spaying or neutering of the cat if it has not already been spayed or neutered. In addition to any required spay or neuter deposit, the pound or shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for the animal released. [emphasis added].

While the woman was completing the forms at the front desk at PHS, a man approached the cat cage and was able to pet at least one of the cats, which he pointed out to other staff. He then took the cats from the front desk area. I asked whether the cats were going to be killed and the PHS staff member said that they would not be made available for adoption, and would be killed, because they were feral.

Despite the fact that PHS staff instructed the woman to complete forms falsely stating that she owned the cats, **the cats were brought to PHS as stray cats**, at least according to the woman who brought them in. Pursuant to Food & Ag §31752(a)(1), the cats should have been held, and made available for owner redemption or adoption, for **at least four (4) business days**, not including today. If PHS staff had reason to believe that the cats were feral, the cats should have been held for a minimum of **three (3) days** before being tested by a qualified staff member, using a **standardized protocol**, to determine whether the cats are truly feral or just frightened house cats.

Instead, the PHS staff member simply said that the cats would be impounded as “feral”, without any testing, and that they would not be made available for adoption because they were “not adoptable”, according to her. The PHS staff member further explained that it would be inhumane to make the cats sit in a cage for five days only to be euthanized later. Unfortunately, there is a commonly held, albeit erroneous, belief in many animal facilities that “feral” cats can be killed without being held for any period of time. That is simply wrong, and illegal.

In this case, it appears that PHS also sought to justify killing the cats immediately by treating the transaction as an owner surrender so that they could kill the cats, with the purported owner’s permission, to circumvent the state mandated holding requirements. Staff simply convinced the woman to complete a surrender form and an authorization to kill the cats to give the appearance of legality.

Violation of California Food and Agricultural Code §31754(a) which provides:

(a) Except as provided in Section 17006, *any animal relinquished by the purported owner that is of a species impounded by public or private shelters shall be held for the same holding periods, with the same requirements of care, applicable to stray dogs and cats* in Sections 31108 and 31752, and shall be available for owner redemption or adoption for the entire holding period. [emphasis added].

The law specifically prohibits the killing of animals that are relinquished to public or private shelters by persons claiming to be the animals’ owners. The rationale behind this prohibition is to give animals who are unwanted by one owner the opportunity to be adopted by someone else, not just to be killed.

In March of this year, I accompanied Councilmember Madison, Josh Liddy, and dog behaviorist Brandon Fouche on a tour of PHS guided by Elizabeth Campo. As she was leading us around the facility, Ms. Campo mentioned that one of the services that PHS provides for the public is euthanasia upon request for animals brought to PHS. When I informed Ms. Campo that

state law prohibits the killing of owner relinquished animals without holding them for the statutory minimum holding period, she told me that it does not violate the law. This is not debatable, it is very clearly stated in Section 31754 of the Food and Agricultural Code.

I wish I could say that I'm surprised at Ms. Campo's lack of knowledge of the law regarding owner requested euthanasia or that I'm surprised at the scene that I witnessed this afternoon involving the cats that were brought to PHS. But, the truth is that it is all too common. There is a whole body of law, called the Hayden Law, that regulates public and private animal shelters. Unfortunately, there is virtually no oversight or accountability for the operations of animal shelters and in most of them, no transparency either. I have spent nearly 6 years obtaining public records (with varying degrees of success, but almost never without a struggle) and other evidence related to animal shelters throughout Southern California. The one thing that these facilities have in common is an almost complete lack of knowledge of, or regard for, state and local laws on the part of management and staff.

Mandatory Spay/Neuter and PHS

In light of the proposed ordinance mandating sterilization of all dogs and cats over the age of 6 months, it is critical that the city provide education and access to low cost and/or free services to the community. The City of Pasadena apparently has relied on PHS to provide those services, but a review of several of PHS's federal tax returns indicates that PHS has devoted a disproportionately small share of its resources to either public education or spay/neuter services.

I have attached a copy of PHS's federal tax return for the year 2012, the last year for which a return was available from the California Attorney General. On page 1 of the document (Form 990), Line 12 indicates that the revenue received by PHS was \$10,416,149 for 2012. Net assets are listed on Line 22 as \$26,614,279. On page 2, in Section 4b, it says that "The Society sponsors a spay/neuter program". The expenses are given as \$63,132 while revenue is listed as \$143,801. Based on expenses of \$63,132, PHS spent 0.6% (less than 1%) of its annual revenue on sponsorship of spay/neuter programs. For comparison, the annual salary of PHS President and CEO Steve McNall for 2012 was \$164,336, more than 2 1/2 times the amount spent on sponsorship of spay/neuter services.

The figures for education, given in Section 4c, are even worse. That section states that "The Society sponsors a program to educate the public on the proper care and handling of animals." Education expenses are listed as \$2,031 while revenue is listed as \$7,071. The proportion of 2012 revenue dedicated to education by PHS is just under 0.02% for an entire year!

Those figures indicate that the proportion of resources allocated to sponsorship of spay/neuter services and public education by PHS is shockingly low. It is clear from the allocation of resources by PHS that neither education nor provision of spay/neuter services have been particularly high priorities in recent years. Unless PHS dramatically increases its allocation of resources to education and providing low cost spay/neuter services on a much larger scale, it will be very difficult for residents of Pasadena to comply with the proposed ordinance.

It is also clear from statements made by Mr. McNall and Ms. Campo during city council meetings that there really is not a comprehensive plan within PHS for the provision of low cost or free spay/neuter services. At the city council meeting on Monday night, Ms. Campo made a vague reference to a mobile spay/neuter unit that had been in Pasadena. She did not elaborate on who provided the unit, how it was funded, when it was in Pasadena, or whether it was a regular occurrence. Nor could she give any specifics about partnerships with organizations and/or veterinarians with which PHS has arrangements for the provision of such services. Why not?

Does it really make sense to pass an ordinance requiring spay/neuter when there has been little to no effort to educate the public or make the services available at an affordable rate up till now? How will PHS cope with the demand if such an ordinance is passed without the arrangements made in advance? How will people, particularly those of limited means, comply with the ordinance without any information about the need for spay/neuter, much less access to those services? Without answers to those questions, and others, enactment of an ordinance will just set people up for failure and subject Pasadena residents to potential criminal penalties for non-compliance with what should absolutely not be considered a criminal offense.

As a resident of Pasadena, I would like to see more resources devoted to the development and implementation of comprehensive education and affordable spay/neuter programs whether an ordinance is enacted or not.

Sincerely,

Marla Tauscher



PASADENA HUMANE SOCIETY & SPCA
361 So. Raymond Avenue, Pasadena, CA 91105
Tel: 626/792-7151 ext. 100 Fax: 626/792-3810
Website: pasadenahumane.org

STATEMENT OF SURRENDER

I certify that I am the owner the custodian not the owner of the animal(s) described below.

I relinquish all interest herein to the Pasadena Humane Society & SPCA, its officers and employees. I release the Pasadena Humane Society & SPCA from any and all claims, present or future, related to the disposition of the previously mentioned animal(s).

I understand that this animal may be euthanized and that I will not be notified.

I further certify, to the best of my knowledge and belief, that this animal:

has not bitten an animal or person within the past 15 days

has bitten an animal or person within the past 15 days

Date: _____

Signature: _____

P#: _____

A#: _____

Description: _____

AUTHORIZATION TO PERFORM EUTHANASIA

Pasadena Humane Society & SPCA

Owner's Name _____

Address _____

City/State _____

Telephone (Home) _____

Animal's Name _____

Species _____

Breed _____

Color/Markings _____

Age _____ Sex _____ Weight _____

A# _____ P# _____

I certify that I am the owner of (or person responsible for) the animal described above. I give the doctor and his/her assistants complete authority to euthanize this animal in whatever manner they recommend. I understand that the animal will be treated humanely. I release the doctor and his/her assistants from any liability incurred in euthanizing this animal.

I also certify that this animal has not bitten any person or animal in the past 30 days and to the best of my knowledge has not been exposed to rabies.

Owner or responsible party

Date

Buchanan, Rita

From: cityclerk
Subject: FW: Agenda Item 19: Mandatory Spay Neuter Ordinance -- Opposed

From: Anne Dove [<mailto:annedove@me.com>]
Sent: Monday, October 27, 2014 10:15 AM
To: Bogaard, Bill; district1; Morales, Margo; Cruz, Christian (Field Rep); West, Jana; Sullivan, Noreen; De La Cuba, Vannia; Madison, Steve; Tornek, Terry
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- Following the wind storms that caused so much damage in Pasadena, a side fence was destroyed. My neighbors, with whom I share that fence, offered to set-up a temporary barrier until a new fence could be built as they also have dogs. However, they have giant breed dogs and were not aware that their temporary fence was not adequate for my smaller dogs so one of my dogs got into their yard and then out through their driveway gate. Fortunately, I was able to quickly identify that my dog got out and retrieve him.
- Someone tried to gain entry into my backyard in the middle of the night, leaving the gate ajar. When I let my dogs out in the morning, I was unaware of this and one of my dogs escaped through the gate, but I noticed immediately and got her back quickly.

And on yet another occasion, I had neighbors going through an ugly divorce. Though we had been neighbors for several years with no problems related to my dogs, the husband called PHS to complain about my dogs barking. PHS determined I hadn't violated any law and that the call was likely the result of displaced anger about his personal problems, but it could have gone another way depending on the staff involved. And had there been one other complaint, I could have lost the ability to ever have an unaltered dog license again.

One would hope that PHS staff would consider the circumstances that led to a dog being in their facility and not enforce the spay-neuter requirement, but that is little assurance for someone like me who has so much at stake when the ordinance plainly states they do not have to take this into consideration. Ironically, this ordinance has evolved from being about protecting the community from dangerous, aggressive dogs to being a harsh, misdirected effort that will punish some of the community's most responsible dog owners. In the first scenario above, my dogs were attacked by a pair of pit bulls. Yet had my dog been picked up by PHS, I could have been the one punished by having to spay my dog to reclaim her from the shelter.

Should there continue to be majority support for this ordinance, I would request that the criteria for unaltered dog license revocation be rewritten to be more reasonable. There should be provisions for an alternative "penalty" like a fine or a change from "one strike" to more. As written there is no formal provision to consider why the dog was loose, no additional "chances" and no option to relocate/rehome the dog with a co-owner or family member to protect people with unaltered, breeding dogs. It's not uncommon for show dogs to be "co-owned", a relationship that is recorded with AKC and thus can be demonstrated through documentation. The co-owner not residing in Pasadena should have the ability to retrieve the dog, intact, if they will home it outside of Pasadena.

Lastly, PHS should also be required to collect rigorous data and report back to City Council regularly on how this ordinance is affecting the community. Unfortunately, with their recently expanded education and outreach capacity and expanded spay-neuter services though, it will be difficult to gauge which "tool" is affecting any changes but the community deserves to know the impacts of this ordinance.

Thank you,

Anne Dove
Pasadena, District 2 resident

Buchanan, Rita

From: cityclerk
Subject: FW: Proposed Mandatory Spay/Neuter Ordinance

From: Lois.E.Macdonald@kp.org [mailto:Lois.E.Macdonald@kp.org]
Sent: Monday, October 27, 2014 8:02 AM
To: district1; Morales, Margo; Cruz, Christian (Field Rep); West, Jana; Sullivan, Noreen; De La Cuba, Vannia; Madison, Steve; Tornek, Terry
Cc: dreamwkr@earthlink.net
Subject: Proposed Mandatory Spay/Neuter Ordinance

To: The Honorable Bill Bogaard, Mayor
and
Council Members
City of Pasadena, CA

Re: Proposed Mandatory Spay/Neuter (MSN) Ordinance

Thank you again for the opportunity to address you on this issue. I have attended and spoken at the last 3 Pasadena City Council meetings during which this issue was discussed.

During the October 6th meeting, Vice Mayor Robinson's questions to the Representatives of the Pasadena Humane Society emphasized one of my major concerns with the MSN proposal as now written. Vice Mayor Robinson asked if all animals taken into custody by the Pasadena Humane Society would be involuntarily spayed/neutered prior to being returned to their owner. The Representatives avoided answering the question directly. Instead they talked about reuniting the pets with their owner, education, and the opportunity to use a veterinarian of the owner's choice to perform the surgery.

The bottom line is ALL DOGS AND CATS taken into custody by the Pasadena Humane Society will be involuntarily spayed or neutered prior to being released. As currently written, there is no exceptions for properly licensed intact dogs or cats from the City of Pasadena or any other jurisdiction. There isn't any warning or sanctioning. First offense - MSN.

Please reconsider and rewrite this proposal. Give some positive benefit to responsible owners who properly license their animals.

Sincerely,

Lois MacDonald
1921 Pepper Drive
Altadena, CA 91001
dreamwkr@earthlink.net

10/27/2014
Item 19