

DO NOT CONSIDER

AN UP-CLOSE LOOK AT AMERICAN HUMANE'S PUBLIC POLICY WORK

POUND SEIZURE: NO CAT OR DOG IS SAFE

By Allie Phillips, vice president, Office of Public Policy

Every cat and dog deserves humane treatment and a chance at a loving home — but no cat or dog is safe so long as pound seizure exists. Pound seizure is the practice of shelters providing dogs and cats for research. Thirty states currently allow pound seizure,¹ and three additional states mandate the practice.² It's time for this outdated and shameful practice to be banned across the country.

I have been involved in abolishing pound seizure in Michigan for 10 years (including successful campaigns to end the practice at four Michigan shelters), and nationally for almost three years. I have witnessed the devastation that pound seizure can cause to a shelter and community. I have had cats taken out of my arms by a Class B dealer (a U.S. Department of Agriculture animal broker who sells animals to research) despite unanswered pleas to shelter staff to rescue the cats. My own cat, Sammy, was almost a victim of pound seizure from the Ingham County (Mich.) Animal Control shelter in 2000.³

Pound seizure is a tragic betrayal of public trust in the purpose of sheltering, as the story of Soup illustrates. Soup was a 2-year-old female English setter who was surrendered to a mid-Michigan animal control shelter on July 7, 2009. Soup loved to run, and after several incidents of roaming (one of which involved a leg injury caused by a car), her family decided to surrender Soup. The family signed a surrender form indicating that adoption or euthanasia were Soup's two options; the form did not indicate that Soup might end up in a research laboratory.

Soup was held at the shelter for five days, the minimum requirement under the Animal Welfare Act (7 USC 2158) before an animal can be sent to a research lab. She was then taken by a Class B dealer on July 15, 2009, even

though the shelter had been notified that Soup would be rescued by a rescue group that same day. Subsequent efforts to have Soup returned went unanswered. A Michigan attorney even contacted the dealer and offered to pay his out-of-pocket expenses and anticipated profit on Soup, but was told that no amount of money would retrieve the dog. For the community, pound seizure ended at this particular shelter on August 1, 2009 — 16 days too late for Soup.



Soup

It is curious why the shelter surrender form listed adoption and euthanasia as disposition options, but failed to mention research; why the dealer was given preferential treatment over the rescue organization; and why the dealer refused payment in exchange for Soup. When dealing with the issue of pound seizure, these issues continually surface, yet very few answers are provided.

Animals in shelters are not the only victims of pound seizure. The stories of Chance and Conan demonstrate why pound seizure puts family pets in jeopardy, too. Conan ran away from his home in Hillsdale County, Mich., while his family was on vacation, and was unfortunate enough to end up at a shelter that practiced pound seizure in a neighboring county.⁴ Conan was held for the minimum required five days and then sold to a dealer. Although Conan was wearing ID tags (seen in the photo), they did not result in his safe return home. By the time Conan's family returned and traced him to the shelter, it was too late. Conan had been sold to a research facility in New York, where he died during an experiment.



Conan (photo courtesy of Last Chance for Animals)

Chance was a puppy who, along with his siblings, was removed from a neglectful home after a complaint by a concerned citizen. The dogs were held the minimum period of five days and then sold to a dealer. A rescue organization, as well as an adopter for Chance, came forward to save the puppies, but after numerous conversations between the shelter and the dealer, neither could decide who had the right to release Chance and his siblings for adoption. During those conversations, the dealer sold Chance and his siblings to a laboratory.



Chance (photo courtesy of Jackson County Citizens Against Pound Seizure)

American Humane is addressing pound seizure head on, because we see it as one of the worst blights on a shelter. No animal shelter can truly be deemed a “shelter” or a safe place for animals so long as the practice continues. Our Office of Public Policy has conducted several surveys to determine the extent of pound seizure, as well as beliefs about the practice. One study from 2009, which replicated a study from 1988, found the following:

- More than 97 percent of respondents would not take a lost animal to a shelter that practices pound seizure
- More than 91 percent would not report a stray dog to animal control if it might end up in a laboratory
- If they had to surrender their pet to a shelter, 98.4 percent would never sign a form giving permission to send the pet to a research lab

- More than 97 percent would not donate to a shelter that practices pound seizure
- 96 percent would feel betrayed if they had to surrender their pet to a shelter and were not informed that pound seizure was an option for disposition
- Almost 80 percent would not call in a complaint of abuse or neglect to a shelter that practices pound seizure

Additionally, more than 95 percent of shelter staff responders indicated that their community does not approve of pound seizure, and more than 51 percent indicated that the mere presence of a nearby shelter practicing pound seizure negatively impacts their ability to gain the confidence of citizens.

American Humane took the initiative to stop the practice in Michigan this year. We joined efforts with the Michigan State Bar Association Animal Law Section and Rep. John Espinoza in the Michigan House of Representatives in filing House Bill 4663, Koda’s Law, to stop the practice of pound seizure. The bill was named after a 3-year-old Malamute who was surrendered to the Gratiot County (Mich.) Animal Control shelter. The family was not informed that Koda could end up in a laboratory. Koda was given to a Class B dealer on his fifth day in the shelter — one day prior to that allowed by the Animal Welfare Act — and ended up at the University of Michigan in the Advanced Trauma Life Support (ATLS) program. Koda was used as a tool to help medical students learn emergency surgery skills. Koda did not survive the process.

In early 2009, the Physicians Committee for Responsible Medicine filed a federal lawsuit against the University of Michigan for its use of live animals in the ATLS program, when non-animal alternatives are available and used by a majority of ATLS programs. Awareness of what happened to Koda was brought to light, and the university agreed to stop using live animals in the curricula in February 2009. Koda’s Bill is still sitting in the Michigan House Agriculture Committee in spite of a large-scale endorsement campaign by American Humane to obtain the support of Michigan animal shelters, rescue organizations, businesses and citizens.

We hope you will assist us in our efforts to stop pound seizure. If you know of any shelter that is engaging in pound seizure, please contact the Office of Public Policy at publicpolicy@AmericanHumane.org or (703) 836-7387. If you reside in Michigan, please contact us about how you can help us move Koda’s Bill toward passage. Together, we can stop our cats and dogs from being lost in the nightmare world of pound seizure. ■

¹ Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Tennessee, Texas, Washington, Wisconsin and Wyoming

² Minnesota, Oklahoma and Utah

³ Ingham County, Mich., ended its relationship with Class B dealers in June 2003.

⁴ The shelter ended the practice of pound seizure in July 2006.