

WHAT'S IN A NAME?



Why HSUS, the
ASPCA, PETA &
State “Humane”
Organizations
Lobby **AGAINST**
Shelter Reform

A Guide
for Legislators
& Policy Makers



Who Speaks for the ANIMALS?

WE ARE A NATION OF ANIMAL LOVERS. Collectively, we share our homes with 90 million cats and 75 million dogs. We talk to them, keep their pictures in our wallets, celebrate their birthdays, travel with them, and greet them upon coming home even before saying hello to our spouses and kids. We include them in holiday festivities and take time off from work to care for them when they are sick. And when it is time to say good-bye, we grieve.

Every year, Americans spend more than 50 billion dollars on their animal companions and donate hundreds of millions of dollars more to charities that promise to help animals, with the largest of these having annual budgets in excess of 100 million dollars. In fact, giving to animal related causes is the fastest growing segment in American philanthropy. In a national poll, 96 percent of Americans—almost every single person surveyed—said we have a moral duty to protect animals and we should have strong laws to do so, while over half have changed their lifestyle to protect animals and their habitats. And three out of four Americans believe it should be illegal for shelters to kill animals if those animals are not suffering.

Most Americans hold the humane treatment of companion animals as a personal value, reflected in our laws, the proliferation of organizations founded for animal protection, increased spending on animal care, and great advancements in veterinary medicine. So it is no surprise that we've also made charities that promise to help animals in need very, very rich.

In fact, collectively, the Humane Society of the United States (HSUS), the ASPCA, and People for the Ethical Treatment of Animals (PETA) take in roughly \$300,000,000 per year—a powerful testament not only to the love the American people have for animals and their desire to see them protected, but our collective faith in these organizations to represent the animals' best interest.

When it comes to animal sheltering in particular,

these groups are often deferred to for guidance and advice. Through their advocacy, campaigns, programs,

conferences, publications and websites, and in their outreach to state and local governments which are debating issues relating to animal sheltering, these groups enjoy tremendous influence. To the media, to the public and to legislators, our nation's large animal protection organizations are often seen as undisputed "experts" when it comes to how our shelters should operate.

Unfortunately, this view is a distinction deeply at odds with their actual accomplishments on behalf of companion animals or, more accurately, lack thereof. For behind their hallowed, pedigreed names is a tragic and sordid history of undermining, rather than leading, one of the causes they were founded to promote: the welfare of our nation's companion animals. Nationwide, there are four million animals being killed in shelters every year. Animals entering the average shelter only have a one in two chance of making it out alive and in some communities, only one out of 100 do. This is a national tragedy. And although our nation's largest animal protection groups have told us that this killing is a tragic necessity, it is not.

Today, hundreds of cities and towns have ended the killing of healthy and treatable animals in their shelters. In these communities, upwards of 99% of all shelter animals go out the front door in the loving arms of adopters, rather than out the back door in body bags. By embracing a new and innovative form of animal sheltering known as the No Kill Equation, the shelters in these communities have abandoned the traditional "catch and kill" sheltering platform promoted by our national animal protection groups



and as a result, have transformed their shelters from places where animals go to die, to places where animals are guaranteed a home. Yet despite the success of this model in diverse communities nationwide, this new model of animal sheltering faces powerful and paradoxical opposition: HSUS, the ASPCA, and PETA challenge its widespread implementation at every opportunity.

Of the numerous communities across the nation which have ended the killing of healthy and treatable animals, not a single one achieved success by following the recommendations or guidance of these groups. In fact, in many cases, animal lovers had to fight one or more of these organizations in order to succeed.

Indeed, while the national animal protection organizations frequently cite the slowly declining national death rate as proof that their work is having a positive impact, in reality, the programs and protocols that have led to this decline—foster care, proactive adoption programs, volunteer programs, low cost spay/neuter, neutering and releasing feral cats and working collaboratively with rescue groups, among others—were opposed by the large organizations when grassroots activists pioneered them and in the case of PETA, they still oppose many of them, arguing that all free-living cats and all dogs who look like pit bulls should be executed. In other words, the national death rate is declining *in spite* of these organizations, and not *because* of them.

The shelter in Davidson County, North Carolina, for example, has a history of killing kittens and puppies using the gas chamber in violation of state law. It has a history of killing elderly and sick animals by gassing, which is also illegal. And, according to an eyewitness, shelter employees put a raccoon in the gas chamber with a mother cat and her kitten in order to sadistically watch them fight before they died, laughing while they did so. A contractor who was working at the shelter told the County Board, "The gas chamber has two windows, one on either side. The raccoon and the adult cat started fighting. Then they turned the gas on. The adult cat got on one corner and the raccoon got on the other, and as soon as they turned on the gas, the kitten started shaking and going into convulsions."

NOT YOUR LOCAL HUMANE SOCIETY OR SPCA

Today, many Americans believe that the ASPCA and HSUS own and operate shelters across the country. In reality, the ASPCA runs one shelter in New York City which has historically sent the neediest of animals down the street to the pound where they are killed. HSUS runs no shelters. And yet they collectively takes in about 300 million dollars a year in revenues because many people mistakenly think they are donating to their local shelter when they donate to these groups. And they think that way, in part, because HSUS and the ASPCA want them to think this.

Not long ago, the ASPCA went door to door in Seattle, Washington, asking for donations. ASPCA solicitors were told to bring a dog and they were given an "Adopt Me" vest for the animal to wear. The purpose was clear: confuse people into thinking the agency was local and its mission was to save lives locally. The volunteers were given a very specific script from which they were told not to deviate. When one of those hired to fundraise suggested it was misleading, she was asked to leave. This type of duplicity isn't limited to Seattle. Nor is it limited to the ASPCA. HSUS is also committed to keeping local donors in the dark as to where their money is going.

Why? The fact is that the truth about the ASPCA and HSUS wouldn't sell: the misplaced priorities and defense of killing, the money hoarding, sending animals to kill shelters after they raise money on their "rescue." And so they misrepresent their work, take credit for the success of others and work to keep the American public ignorant of who and what they really are.

In what was a rare, candid admission by HSUS that our nation's shelters are essentially unregulated, HSUS admitted:

“...there is actually very little oversight of sheltering organizations...”

And yet shortly before HSUS published this statement, their lobbyists had worked to kill shelter reform legislation in several states, laws that would have brought desperately needed accountability to a field that, by HSUS' own admission, does not have any.

With almost nine out of 10 animals put to death, a number that is increasing, not decreasing, animal lovers call the Davidson County shelter a "disgrace," "disgusting," "horrific," and "savage." The Humane Society of the United States, however, gave the shelter its highest award for North Carolina, calling it "a shelter we love." Not to be outdone, the ASPCA once named a shelter which killed seven out of 10 animals the best shelter in America. And PETA frequently comes to the defense of shelters which kill, even those with a history of neglect and abuse. They even kill animals themselves—29,426 in the last 11 years—including those they have promised to find homes for and which PETA employees described as "healthy," "perfect" and "adorable."

These are not aberrations. In Memphis, Tennessee, dogs are starved to death in the shelter. In DeKalb County, Georgia, animal control officers step on cats while killing them, breaking their bones. In Chesterfield, South Carolina, shelter employees use dogs for target practice, taking turns trying to shoot them in the head. In the New York City pound, animals go without food and water, languish in filth, and receive no pain relief for chronic injuries. In Los Angeles, California, a rabbit was left in her cage for approximately one week with her spine exposed. Also discovered in the cage were a dead rabbit, his decomposing body covered with flies, and another rabbit with an eye popping out of his socket. None of the rabbits had food or water.

As the movement to end shelter killing and to ensure the implementation of the No Kill Equation at shelters across the nation has grown in size and sophistication, the networking made possible through the internet and social media has allowed animal lovers to connect the dots between individual

cases of animal cruelty and neglect in shelters nationwide. These incidents reveal a distinct pattern. Animal abuse at local shelters is not an isolated anomaly caused by a few bad apples. The stunning number and severity of these cases nationwide lead to one disturbing and inescapable conclusion: our shelters are in crisis and in desperate need of reform.

And yet without exception, whenever animal lovers have developed innovative and compassionate alternatives to killing or have brought the need for greater regulation to light, the large, national animal protection groups have opposed them. Staffed with former animal shelter directors and employees who themselves failed to save lives, threatened by the success of the No Kill Equation, and dedicated to protecting their friends and colleagues currently running shelters who are likewise failing to do the work necessary to save rather than end the lives of the animals in their care, these groups do not represent the interests of the animals who are being killed, but rather those who are doing the killing. They argue that such reforms are unnecessary, and that, paradoxically, any alternative to killing or any form of regulating shelters to ensure that animals are treated with compassion and are not needlessly killed is not only unnecessary, but will actually put animals in harm's way.

When a statewide survey found that 71 percent of rescue organizations reported that they were turned away from New York State shelters and then those shelters killed the very animals those groups offered to save, the ASPCA fought to maintain the status quo, defeating legislation that would have given rescue groups the right to save at private expense, the animals shelters are killing at taxpayer expense. When animal lovers in Texas tried to end the practice

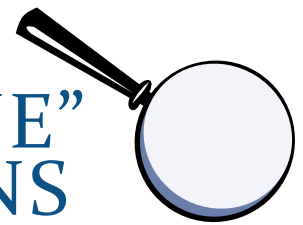
of gassing animals, a slow and exceedingly cruel way for animals to die, a coalition of animal control groups led by HSUS defeated the bill. PETA was part of the opposition that defeated legislation in Virginia to end the statewide practice of shelter's killing animals when there are empty cages, when rescue groups are willing to save them, and in the case of feral cats, when they can be neutered and released.

Whether by coming to the defense of regressive shelter directors, working to defeat progressive shelter reform legislation, fighting new and innovative programs to save lives, or calling for the wholesale slaughter of entire groups of animals in shelters, HSUS, the ASPCA, and PETA are the biggest barrier to ensuring the survival of animals in shelters today. And with virtually unlimited resources raised through appeals and commercials that prey on the emotions of animal lovers with the false message that they will fight for animals, rather than against them, these groups present a powerful opponent to those working to reform cruel and abusive shelters nationwide.

We trusted these groups, content to write them checks to do the job of overseeing our nation's shelters while we looked the other way because the "experts" were in charge, and in so doing, have allowed our shelters to remain virtually unsupervised and unregulated for decades, with devastating results.

Only time will tell how long allegiance to their kill-oriented colleagues, to their antiquated philosophies and to their failed models will hold them from the success the No Kill movement can achieve the moment they decide to embrace it. But of this much we can be certain: it is a generous and animal-loving American public that pays their salaries. And the more Americans hinge their donations on an organization's sincerity, integrity and performance rather than its superficial label, the sooner our nation's large, animal protection groups will be forced—by sheer necessity—to start building, rather than blocking, the road to a brighter future for America's animals.

A Closer Look at STATE "HUMANE" ORGANIZATIONS



As No Kill advocates seek to pass progressive shelter reform legislation in communities and states throughout the country, time and again their fiercest opponents are organizations with names that allow them to masquerade as something they are not.

THE NEW YORK STATE HUMANE ASSOCIATION. The Florida Animal Control Association. The Texas Humane Legislation Network. Organizations with such names exist in virtually every state. They often weigh in on local and state issues pertaining to animals, particularly legislation. And their names command instant respect from legislators and policy makers, conveying as they do, the idea that they have expertise in the field of animal welfare and sheltering policy in particular. But is it true? What, exactly, are these organizations? Who staffs them? Whose interests do they truly represent? And, most importantly, what are their credentials?

In 2010, shelter reform legislation was pending in New York State. The law was projected to save roughly 25,000 animals a year at no cost to taxpayers.

And despite overwhelming support for the legislation from rescue groups and New York animal lovers, what finally killed the bill, dooming to death tens of thousands of animals every year whom rescue groups statewide were ready and willing to save, was the opposition of groups like the New York State Humane Association (NYSHA).

Despite over 20,000 emails, telephone calls and letters from New Yorkers, the bill was tabled and animals who have an immediate place to go continue to be killed. In fact, since the first of many bills of this kind was introduced and subsequently defeated, as of August 2012, the number of animals killed who could and would have been saved has topped 65,000.

The "Legislative Chair" of the NYSHA expressed her opposition to legislators, making several false

claims about its mandates based on a bungled reading of the law, calling basic, common sense measures such as not killing a savable animal when there is an empty cage “unreasonable” and suggesting that asking shelters to do what they have been entrusted by taxpayers to do is too “burdensome.” She also claimed that the law would lead to hoarding and that the animals were better off dead, 11 years after those arguments were proven false when similar legislation was passed in California.

What gave this woman and her organization the experience and authority to make these claims? Her move to the NYSHA came by way of HSUS, where, as program coordinator, she made a career out of defending the “right” of pounds to kill animals. In 2002, she defended the New York City pound, despite documented animal neglect and abuse. Despite seven out of 10 animals being put to death, she called those statistics “useless.”

In 2003, she supported the pound in Rockland County, New York, even after an auditor substantiated allegations of high rates of shelter killing and other deficiencies that were not corrected after a year. In her letter to the Rockland County Executive on behalf of HSUS, she underscored her commitment to killing, arguing against a No Kill orientation. Although the County Executive was inclined to turn operations over to a No Kill group, her efforts succeeded in swaying the decision in favor of retaining a traditional kill-oriented facility. Her intervention harmed the potential for animals to receive the care of a No Kill service provider, just as it would later kill the chances of thousands of New York animals making it out of shelters alive.

She is a woman who refuses to admit problems in shelters exist or to have standards and benchmarks that would hold them accountable. In other words, although she feigns an expertise in sheltering, she has willfully failed to keep pace with the dynamic and innovative changes in the field as a result of the No Kill movement, choosing instead to fight those changes. And yet she and her organization and others like it in every state in the country, with relatively small memberships composed mainly of both past and present directors of kill shelters, often control the debate regarding shelter policy in our state capitols. When legislation is introduced to

expand the power and authority of animal control, even when that power will lead to greater killing, they support it. When legislation seeks to limit the power or discretion of animal control, to hold shelters to higher standards and greater lifesaving, they predictably oppose it.

As No Kill advocates seek to pass progressive shelter reform legislation in communities and states throughout the country, time and again their fiercest opponents are organizations with names that allow them to masquerade as something they are not. In 2011, for example, shelter reform legislation in Texas was defeated by a coalition which included a group calling itself the Texas Humane Legislation Network (THLN). As No Kill advocates and animal lovers rejoiced at the introduction of a bill which would have banned the gas chamber, ended convenience killing and mandated collaboration—flooding the Texas State House with thousands of calls and letters of support—THLN released a statement of opposition and worked with HSUS to successfully defeat it. The Virginia Animal Control Association, the Florida Animal Control Association, and similar groups in Georgia, Rhode Island and West Virginia did the same in their respective states in 2012.

Those who embrace a brighter future, those who seek to finally bring some accountability to a field that has lacked it, have found they must work to overcome the false perceptions that legislators and other policy makers have regarding these individuals and the groups with which they are associated, simply because they have the names “humane” or “animal” in their titles. People believe these organizations speak for the animals, even though they protect incompetence and fight innovation of any kind. They believe the organizations are run by “experts,” despite having no experience creating No Kill communities nor reforming those plagued with regressive, high-kill shelters. And in the end, these individuals, with views so out of touch with the majority of people, succeed in defeating legislation that would mandate reasonable, common sense provisions that almost every American would be stunned to learn have not already been voluntarily implemented.

HOW DO THEY MEASURE SUCCESS?

THEY DON'T

IN A 2011 RADIO INTERVIEW, the Vice President of Animal Protection for the American Humane Association (AHA) was asked whether she believed shelter directors were doing a good job. She stated that,

I've been a shelter director. I admire so many shelter directors out there. I have met people who are working so hard in states where they are challenged with every turn, from political to financial, yet they are doing whatever they can to save animals. So I tend to feel that anyone who gets into this business, I'm giving you the benefit of the doubt.

On its website, AHA claims to be a resource for animal welfare professionals, offering them “the education and training to provide the best animal care possible.” But when asked whether those who have the power of life and death over animals are actually providing “the best animal care possible,” AHA offered a cliché, stating that no one wants to kill while admitting that shelter directors are given the “benefit of the doubt”—in other words, a free ride—by the organization rather than being held to measureable standards and goals.

Despite overwhelming evidence to the contrary in communities across the United States, AHA ensured listeners that shelter directors are “doing whatever they can to save animals.” As an organization which claims to be ensuring that our shelters are run humanely and effectively, it was their obligation not only to admit that our nation’s shelters are broken and highly dysfunctional, but to provide listeners with substantive guidelines which they could use to measure how well their local shelter is meeting its obligations.

Indeed, there are many indicators that can be used to judge how humanely and compassionately a shelter is operating—the most significant one being how many animals the shelter kills. Does the shelter have the programs of the No Kill Equation and how

fully have they been implemented? Is there a safety net in place for all species entering the shelter, such as rabbits, birds, wildlife and other animals in addition to dogs and cats? Do sick and injured animals receive quality veterinary care? Does the shelter follow the latest vaccination and cleaning protocols to ensure the health of the animals? Are the animals well-socialized and do they receive plenty of exercise to reduce stress and anxiety? And is the shelter well-regarded by the community it serves? Of course, there are many more.

And given that the answer to these questions in most communities is, “No,” then the answer to the overall question that AHA was asked should have been, “No,” too. Moreover, why didn’t AHA offer a single one of these benchmarks, rather than generalize that shelter directors have a responsibility to have a strategic plan in order to increase lifesaving and reduce killing? Why don’t any of the national organizations hold shelter directors to these standards? Why don’t they teach them how to recognize and learn from the hallmarks of success? The answer is simple.

If you are an agency that is supposed to be providing oversight and you intentionally fail to, standards are a threat. Standards invite comparison and comparison can compel criticism. So while questions that attempt to gauge success and highlight areas of deficiency are important if you are seeking improvement and accountability, if you are not—that is, if no matter what the answers, you do not intend to do anything about them—then they are dangerous questions to be asking. Because not only can the answers to such questions be used to criticize your friends who run shelters, but they could be used to criticize you for failing to hold them accountable, too. And that is why they are very careful never to ask them.

This guide is excerpted from *Friendly Fire* by Nathan & Jennifer Winograd with the permission of the authors. There is no affiliation with or implied endorsement of any other content of the book. The views expressed in the book are solely those of the authors and not necessarily those of the No Kill Advocacy Center.



If every animal shelter in the United States embraced the No Kill philosophy and the programs and services that make it possible, we would save nearly four million animals who are scheduled to die in shelters this year, and the year after that. It is not an impossible dream.

ALSO AVAILABLE:

NO KILL 101:
A Primer on No Kill Animal Control Sheltering for Public Officials

DOLLARS & SENSE
The Economic Benefits of No Kill Animal Control

THE COMPANION ANIMAL PROTECTION ACT:
Model Legislation to Improve the Performance & Life-Saving of Animal Shelters

YOU CAN DO IT! ADOPT YOUR WAY OUT OF KILLING:
A No Kill Guide for Animal Shelters

COUNTERING THE OPPOSITION:
Responding to the Ten Predictable & Recurring Excuses of No Kill Opponents

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No Kill 101



A Primer on No Kill Animal Control Sheltering for Public Officials

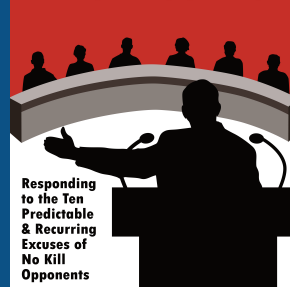
Model Legislation to Improve the Performance and Life-Saving of Animal Shelters

The Companion Animal Protection Act



Saving Lives
Saving Taxpayer Money
Improving Public Health and Safety
Improving Public Satisfaction with Government

COUNTERING THE OPPOSITION



Responding to the Ten Predictable & Recurring Excuses of No Kill Opponents

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The Economic Benefits of No Kill Animal Control

A GUIDE FOR PUBLIC OFFICIALS

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Adopt Your Way Out of Killing

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