



NATIONAL ANIMAL INTEREST ALLIANCE

Supporting the people who care for America's animals

July 25, 2008

Chicago City Hall
121 North La Salle Street
Chicago, IL 60602

Mayor Richard Daley and Aldermen:

I am writing on behalf of the National Animal Interest Alliance (NAIA), a broad-based national organization founded in 1991, made up of pet owners, dog and cat organizations, veterinarians and numerous other animal professionals and animal-related businesses. Our mission is to promote the welfare of animals, to strengthen the human-animal bond, and to safeguard the rights of responsible animal owners and professionals through research, public education and sound public policy. We have members in all 50 states, with many living in the Chicago area.

We are writing to express our concern over your proposed pet ordinance revision. Although we support the specific goals of the ordinance, our firsthand experience with similar ordinances all over the United States tells us that the approach being used in Chicago will not achieve the goals you seek. With this in mind, we offer our assistance.

Like many other communities before you, you are considering a mandatory spay/neuter ordinance because it has been marketed to you as the best way to reduce surplus shelter animals and dangerous dog incidents. But a simple review of the facts reveals serious flaws in this approach. In fact, this method has never succeeded anywhere in the US where it has been tried.

NAIA supports programs that encourage voluntary spay/neuter, while opposing **Mandatory Spay Neuter** for the following reasons:

- **Health risks:** The proper age for this procedure is a matter of serious debate in the animal care community, with well-documented medical and behavioral problems that can develop from neutering pets too early. The choice to perform surgery on one's pet should remain an educated decision between the pet owner and their veterinarian, not dictated by an arbitrary standard assigned by the state.
- **Costly:** This proposal will not lower costs to control agencies. In fact, similar laws have resulted in animal dumping and lower owner reclaim rates for lost or impounded pets. Further, enforcing this law would actually put more administrative burden on local agencies, the costs of which would exceed the amount collected in fees and fines.
- **Will not reduce aggression:** There is insufficient evidence of a causal link between intact dogs and aggression. In fact, a study at the University of Pennsylvania School of Veterinary Medicine reported that spayed and castrated animals were more likely than intact dogs to be fearful, sensitive to handling, and aggressive. <http://www.acc-d.org/2006%20Symposium%20Docs/Session%20I.pdf>
- **Discourages responsible breeding:** Mandatory laws such as the one the Chicago City Council is being asked to pass diminish the best source of healthy, home-bred, puppies and kittens, driving consumers to poorer sources. They also negatively impact licensing rates, leading to widespread

non-compliance and a shortage of dogs bred to be pets as well as purpose-bred animals to assist the public in guide, therapy and rescue work.

- **Economic ramifications:** This law risks alienating the dog and cat fanciers who participate in animal sports and competitions, bringing millions in tourism dollars to Chicago every year.
- **Constitutional problems:** Since pet owners would be denied control over their property without any semblance of overriding state interest in the outcome, this interference of pet owners' rights to make decisions regarding their pets violates the Due Process Clause of the Fourteenth Amendment of the US Constitution.
- **Ineffective:** This approach has been tried and failed in Santa Cruz, CA, King County, WA, Louisville KY and other areas, causing great harm and generating lawsuits while accomplishing little more than driving intact pets out of the pool of licensed dogs.

When creating an effective pet ordinance it is important understand that a large number of shelter animals are surrendered by their owners because they are old and sick, seriously injured, or dangerously aggressive. Many of the dogs euthanized are unidentified, unclaimed strays that are too old, sick, injured or aggressive to be placed in new homes; and many of the cats euthanized are feral animals that were never owned but were trapped and impounded because they have become nuisances. This unfortunate reality will not be resolved by mandatory sterilization.

Imposing high fees for breeder licenses will not succeed as a funding source or incentive. It is far more likely to chase potential licensees from the market place and drive scofflaws and criminals further into hiding than it is to serve as a funding source for the program. Instituting more regulations also runs the risk of diminishing the best source of dogs and cats available to Illinois consumers, which, since demand is constant, will be replaced by out of state puppies and kittens at great cost to the Chicago economy and without improving the welfare of Illinois pets one whit. In other words, using a risk-benefit model, this proposal offers lots of pain for virtually no gain.

If the problems you seek to address are caused primarily by people who knowingly disobey the law, then throwing another law at them is an exercise in futility. Furthermore, it is unfair and unwise to put an expensive hurdle in place that low-income families who want to obey the law will have difficulty clearing.

NAIA strives to help communities find viable solutions to their pet population challenges that will not create the problems identified above. Extensive shelter data shows that public education, low-cost resources for the poor and reasonable licensing programs are working. The data also demonstrates that spay and neuter campaigns have been so successful that some animal shelters presently do not have enough adoptable animals to meet the high demand for pets. Some shelters have started importing dogs from other regions to satisfy this demand.

We recognize that Chicago has real problems when it comes to managing strays, addressing dangerous dogs and lowering shelter statistics. However, these issues can be largely resolved with better enforcement and creative community oriented solutions that educate and encourage voluntary action. We sincerely hope that you will look to us as a resource for identifying models that work and understanding how you can successfully apply them in Chicago. To this end, would welcome the attendance of your representative at our annual conference featuring this very subject next month. Please see brochure here:
<http://www.naiaonline.org/pdfs/2008%20NAIA%20conference%20brochure1.pdf>

Thank you,



Patti Strand, Chairman and National Director