



NATIONAL ANIMAL INTEREST ALLIANCE

Supporting the people who care for America's animals

June 17, 2008

Pet ordinance opposition letter: mandatory
spay/neuter and breeder permits

The Honorable Mayor Leppert
and Dallas City Council
Dallas City Hall
1500 Marilla Street
Dallas, TX 75201

Dear Mayor and City Council Members,

I am writing on behalf of the National Animal Interest Alliance (NAIA), a national organization that was founded in 1991 to provide a moderate, balanced, fact-based perspective within the animal welfare and public policy arena. We are proud to represent a variety of animal interests including organized dog and cat enthusiasts, agriculture, veterinary medicine, animal science, wildlife management and pet owners across America. We have members in all 50 states, with many living in the Dallas area.

We write today with concerns about the Dallas pet ordinance revision. We recognize that Dallas has real problems when it comes to stray and dangerous dog issues and shelter intake and euthanasia rates, and we strongly support your goals to solve these problems. However, we are very concerned over the provisions in the ordinance draft that single out breeders for special permits and require mandatory spay/neuter. Our firsthand experience with similar ordinances all over the United States convinces us that the **breeder-focused approach** you're considering will not achieve the goals you seek, but instead will create additional problems and numerous unintended consequences. With this in mind, we offer our assistance.

Please be aware that despite claims to the contrary, there is no place in the US where special regulations for breeders have succeeded in the past, nor are there any cities or counties where they are working today. None!

Focusing on breeders and breeding diverts attention from the number one goal at hand, the need to eliminate stray and dangerous dog problems. History shows that people who don't confine their dogs, don't license them either. Picking up strays and neutering them may produce some limited short-term effect, but it will not prevent irresponsible pet owners from simply getting a new dog and starting the cycle over again. Therefore, the single most important step Dallas can take to reclaim its neighborhoods from free-roaming dangerous dogs lies in enforcement. Dallas needs to establish patrols – preferably collaborative patrols between police and animal control – in problem neighborhoods whose job it would be to tie stray dogs to owners so that meaningful penalties can be enforced against the people actually causing the problems. Until methods for identifying violators and holding them accountable are established, there will be no progress. We would be happy to share our expertise in this area with you about methods that have worked in other cities.

Ironically, the citizens who are most dedicated to the goals of the current proposal are the people feel most unfairly targeted by it, members of the organized dog and cat community who belong to nonprofit dog and cat clubs in Texas. Importantly, the shows hosted by these clubs and staffed by their volunteer members, bring millions in tourism dollars to Texas each year, after which they donate a large part of their revenues to advance the well being of dogs and cats and responsible pet ownership. They host microchip, rabies vaccination and spay/neuter clinics and public education events, fund canine health research, donate to service dog and humane organizations, and hold dog training classes. If government had to replace the services these volunteers donate to their communities, the cost to

taxpayers would be substantial. The ordinance proposed in Dallas denigrates this valuable community by codifying a demonstrably false premise, namely that all breeding is harmful.

Any system that makes the law abiding, responsible pet owners who license their pets accountable for the ones who don't is inherently unfair and destined to fail. It's hard enough to get people to comply with laws they view as fair and reasonable. Although you may not have thought of it this way, the Dallas proposal penalizes breeders for licensing their dogs by requiring them to get a special permit. Unless the goal is to remove the licensing requirement from breeders, this proposal pushes in exactly the wrong direction. It contradicts all modern learning theory by punishing the desired behavior, licensing. As any good dog trainer can tell you, there is no quicker way to ruin a good dog than by punishing him for good behavior. Here are some basic dog training guidelines: 1) Reward good behavior; 2) Correct bad behavior; 3) Never give a command you cannot enforce. This proposal breaks all of these rules.

On the other hand, pet owners have shown a willingness to license their intact pets using traditional differential licensing where pet owners are rewarded by a licensing discount for spaying or neutering their pets. The higher fee paid by intact pet owners in this framework is not viewed as punishment, but as a method for funding low cost spay/neuter programs, a value that all pet owners share. When the price tag becomes unreasonable, though, or when the rationale for a permit stigmatizes that same law-abiding pet owner, intact pet licensing compliance rates decline dramatically.

Unlike traditional differential licensing, the premise of breeder licensing and permitting is that breeding is inherently problematic, even when the breeders have never caused a problem and even when a breeder's activities have a net positive effect on society.

Thus, adding breeder permits to the equation stigmatizes all breeders, the good right along with the bad.

Requiring breeder permits is a form of profiling that labels an entire group as responsible for the behavior of a few bad actors in the group. That is why it is so upsetting to the opponents of this bill.

All communities, professional, ethnic, religious and racial groups have some bad apples. Establishing breeder permits, even if certain parties are exempted later, stigmatize breeders and breeding, implying that in general terms breeding is bad. The truth is, irresponsible, criminal and casual breeders are responsible for nearly all the problems you see. The ordinance should target the people causing problems. It should not scapegoat responsible pet owners.

Sensational ordinance proposals like Dallas' have some public relations value if they generate public awareness and build consensus about the need to deal with long-standing problems. But in a nation where many people believe in "the rule of law" NAIA believes it is important to draw bold distinctions between laws that can be enforced and social marketing campaigns that are designed to raise awareness.

NAIA supports enforcement measures that target the source of dangerous and stray animals, public education programs that promote responsible dog ownership, and programs that encourage voluntary spay/neuter, but we oppose mandatory spay neuter and special permits for breeders for the following reasons:

- They discourage responsible breeding, diminishing the best source of healthy, well-bred puppies and kittens.
- Economic ramifications: This law risks alienating the dog and cat fanciers who provide free and low cost dog training, pet clinics, public education, and host shows and competitions that bring Texas millions in tourism dollars annually.
- This approach has been tried and failed in numerous jurisdictions including San Mateo and Santa Cruz, CA, King County, WA and Montgomery County, MD.
- Rather than serving as a funding source, exorbitant fees and unreasonable and unenforceable laws chase potential licensees from the market place and drive scofflaws and criminals further into hiding. Passing such laws teaches people that laws don't matter.

We commend the Dallas City Council for making pet issues a priority, but urge you to eliminate the provisions that incorrectly target breeders. Success will only be postponed by alienating citizens who actively support your goals. Peer reviewed studies and extensive shelter data show that public education, low-cost resources for the poor, and reasonable licensing programs coupled with vigorous enforcement efforts are the elements needed. They don't work overnight, but over time, and with public support, they will greatly reduce problems.

In the meantime, we encourage you to call on us as a resource for identifying models that work and for supporting your long-term goals in Dallas as you start solving dangerous and stray dog problems in your city.

Thank you,



Patti Strand