



# NATIONAL ANIMAL INTEREST ALLIANCE

*Supporting the people who care for America's animals*

May 28, 2013

## Letter in Opposition to Harrison County Proposed Spay/Neuter Ordinance

Dear Harrison County Board of Commissioners:

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. Our organization represents numerous constituents in the state of Indiana and Harrison County.

NAIA would like to voice its opposition to the proposed Spay/Neuter ordinance currently being considered by the Harrison County Board of Commissioners. NAIA opposes all mandatory spay/neuter laws, considering them an overreach of government power into private affairs and also detrimental to the health of the animal population. The imposition of breeder's permits on the citizens of Harrison County is a further example of overreach that NAIA opposes when broadly applied to all breeders. While it is commendable that the county is seeking to address the issue of pet overpopulation, the mandatory spay/neuter ordinance is unlikely to achieve the desired goals and will only complicate the county's animal control duties. NAIA has carefully studied animal control policies and amassed a wealth of data and studies on their effectiveness. Our conclusion is that such policies as those being considered in Harrison County do not work to reduce the companion animal population, and the reasoning behind such policies is based upon misunderstanding about the companion animal population trends.

Mandatory spay/neuter policies, while often pushed as a means to reduce the number of feral/unwanted animals, does not have a track record of achieving the desired goals in the areas where it has been applied. Rather it appears to have no effect on the animal population but does result in a rise in noncompliance with other animal laws. Two jurisdictions that are often put forward as the success stories of these policies, Santa Cruz and Denver, are demonstrative of this. While these cities experienced a decline in their companion animal populations after the new policies were in place, this decrease was comparable to a decrease experienced by neighboring regions, suggesting that the decline was due to a larger trend rather than the policies of those specific cities. This decline at the same time does not match the decline experienced by other cities such as Portland or San Francisco who had much more dramatic drops in the companion animal population during the same years, yet lacked a mandatory spay/neuter policy.

The driving forces behind companion animal populations are numerous and diverse, and controlling this population is not simply a matter of large scale pet sterilization. Mandatory sterilization laws are often based on the assumption that the animals who find their way in to animal shelters arrive there primarily due to pet overpopulation. But this assumption flies in the face of data which suggests that the bulk of animals in shelter today:

- are not young puppies;
- that a high number of kittens are from feral cats;

- that according to the Journal of Applied Animal Welfare Science, studies conducted by the National Council on Pet Population Studies and Policy and other organizations, about a third of shelter animals were given up by their owners because of personal issues such as moving, financial strain, or because the pet had a behavior or health problem;
- that many pet owners use shelters as an alternative to a veterinarian when seeking euthanasia of an old, sick or dangerous animal; and
- that many shelter animals are already neutered.

Considering this shelter population composition a policy of mass sterilization to halt breeding is unlikely to decrease the number of unwanted pets in the shelter system. Rather this information would suggest that the traditional strategies of public education and making low cost, optional, spay and neutering services available has been effective at reducing the number of unwanted puppies and kittens. In fact NAIA has found that in some regions these practices have been so effective at reducing the pet population that animal shelters do not have enough animals on hand to meet the demands of the local population for shelter animals and have in recent years begun importing pets from overpopulated regions to supply this demand. If pet importation is a contributing cause of pet overpopulation in an area than a mandatory spay/neuter policy is an especially inappropriate remedy to the issue given that such a policy would have do nothing to halt the number of animals imported to the area.

Beyond the ineffectiveness of mandatory spay/neuter policies, they also create scofflaws. Simply put, many people in the county will be driven underground by the ordinance. The people who are most likely to comply with such a policy are already responsible pet owners and breeders who generally opt to sterilize their pets or are very careful to prevent unwanted litters by confining them appropriately. The citizens most likely to ignore the mandate are the ones who would contribute the most pet overpopulation, individuals who refuse to license their pets and are unlikely to in the face of a new ordinance. Such a policy thus fails to target the very group who it is mean to curb the activities of. The imposition of a fine serves to further drive the activities of the citizens underground. They may not seek veterinary care or other services for their pets out of fear of a fine. Many of these individuals are low income and the law will thus be alienating the very demographic whose cooperation the government needs the most to carry out effective animal control. The coercive nature of this policy on the population will undermine whatever effectiveness it might have. Successful government policies should instead be aimed at empowering the people of the community to make better decisions about their pets through education and making such services available, not through the imposition of coercive fines.

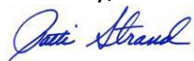
Mandatory spay/neuter laws carry with them another serious concern for NAIA, the violation of pet owners right's. Such laws are a prime example of government overreach into private affairs. While animals are granted protection from cruelty by the law, medical decisions such as sterilization have long been considered a decision to be made by pet owners and veterinarians. Such medical decisions should not be made by government policy. Whether or not a pet is kept intact is made for numerous reasons, for breeding, health, or sporting concerns to name just a few. This decision should not be subject to a license or regulations, but rather be made based on sound medical interests on a case by case basis. This policy would force a medical decision on all animals regardless of their medical circumstances or the owner's intentions with them. Ultimately what is at stake is the right of a property owner to make decisions regarding their property free from unnecessary government involvement. Spay/neuter laws are ineffective laws which at their based seem to do little to address issues of pet overpopulation and at worst are a serious infringement on the property rights of pet owners.

For these Reasons NAIA urges the Harrison County Board of Commissioners to pursue other avenues to address whatever animal control issues exist in their jurisdiction. NAIA would like to offer our expertise in creating these policies. Our members are veterinarians, lawyers, scientists, and animal control experts, with a wealth of knowledge on animal policy. Possible courses of action we may recommend are an expansion of educational

programs and increased low cost spay/neuter services. NAIA also urges the county to carefully consider what the source of pet overpopulation in their jurisdiction is. This issue merits careful examination because without good data the proper policy to remedy the county's problems cannot be determined. NAIA advocates that shelters report the sources of their animals and publicize the information for such policy making decisions. We therefore urge Harrison County to consider applying such measures to their own shelter system so the source of unwanted animals in their county can be precisely identified.

In closing NAIA urges the county to reject this ineffective ordinance. To do so would be to simultaneously apply an ineffective and coercive policy on the population and also violate the rights of pet owners. Such policies are the very definition of bad government and serve only to create more problems than it will solve. Good government policies should instead empower the citizenry, encouraging them to make good decisions for their pets and themselves. The data and expertise of NAIA is available to you in considering your county's animal policies, and we hope that you will make use of it in creating future ordinances. Thank you for your time and consideration on this issue.

Sincerely,



Patti Strand, Chair

**Study showing longer lifespans in the unspayed female**

<http://www.naiaonline.org/uploads/WhitePapers/sexDifferencesInLongevity.pdf>

**Long Term Health Effects of Spaying and Neutering dogs**

<http://www.naiaonline.org/uploads/WhitePapers/LongTermHealthEffectsOfSpayNeuterInDogs.pdf>

**Position paper on spaying and neutering by the leading reproductive veterinarians**

<http://www.naiaonline.org/uploads/WhitePapers/SocietyForTheriogenologyMandatorySpayNeuterPosition.pdf>