

# The Animal Herald

🇺🇸 Barking Out the Truth 🇺🇸

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## Mandatory Spay/Neuter Law Kills 21,000 Dogs in Los Angeles

If you're a dog in Los Angeles your chances of being euthanized in 2009 are **177% higher** than in 2008. This is a result of mandatory sterilization laws that were put into place in 2008-2009. MSN has failed miserably everywhere that it has been implemented and the pets pay the price with their *lives*.

Statistics just released by the Ca Department of Public Health confirm that Los Angeles shelters killed over 21,000 *more* dogs in 2008 than in 2007. This represents an increase in shelter killing of 177% during the year that mandatory spay/neuter became the law in Los Angeles. Outside of Los Angeles, the effects of the current recession were in evidence as shelter euthanasia of dogs increased by only 1%. MSN has been touted by animal rights groups as the solution to animal shelter over-crowding. Based on these statistics, MSN could be viewed as the **"final solution"** as the killing of dogs in Los Angeles takes on genocidal proportions.

**The Animal Herald**  
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## MSN Law is Abject Failure: Akin to Genocide of Dogs In *Los Angeles*



## The Truth About HSUS: Abused Dogs Should Face "Pretty Certain" Death by Nathan Winograd

In February, rescue groups throughout the country pleaded with the Humane Society of the United States (HSUS) and Wilkes County officials not to put over 150 dogs seized from a dog fighting raid, *and their puppies*, systematically to death. They even extended offers of assistance, support, and resources. But HSUS refused, arguing that all the dogs should be killed, including puppies who were born after the seizure and posed no threat to public safety. John Goodwin of HSUS also attacked the animal lovers for raising an unnecessary "fuss."

Across the country, animal advocates, No Kill shelters, and rescue groups, as well as everyday dog lovers condemned the killings and Goodwin's callous retort about it. The resulting outcry forced HSUS CEO Wayne Pacelle, who had defended the slaughter and HSUS' handling of the criticism, to back down. While stopping short of an apology or admitting they were wrong in having the dogs killed (including forcing a volunteer to return puppies to be killed), they agreed to re-evaluate their position and meet in Las Vegas to come up

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## FBI Investigating HSUS

New York Times reports:  
**Possibly Fraudulent Fundraising**

The Center for Consumer Freedom and several other groups are reporting that they have been contacted by the FBI for an investigation into possibly fraudulent fundraising practices by the Humane Society of the United States ("We've Got A Bone To Pick With HSUS Over Michael Vick"). Following Michael Vick's indictment on charges related to dogfighting, HSUS apparently initiated a fundraising campaign around the idea of raising money to take care of Vick's dogs, despite the fact that HSUS was *not* involved with caring for the dogs.

HSUS misled Americans with the fundraising pitch it would "care for" Michael Vick's dogs. In Washington, D.C. the nonprofit Center for Consumer Freedom (CCF) called on the Humane Society of the United States (HSUS) to return all the money it has raised in the wake of the Michael Vick dogfighting scandal. CCF revealed that beginning on July 18, 2008 — the day after Vick's criminal indictment — HSUS promised on its website that financial contributions would be earmarked for helping it "care for the dogs seized in the Michael Vick case."

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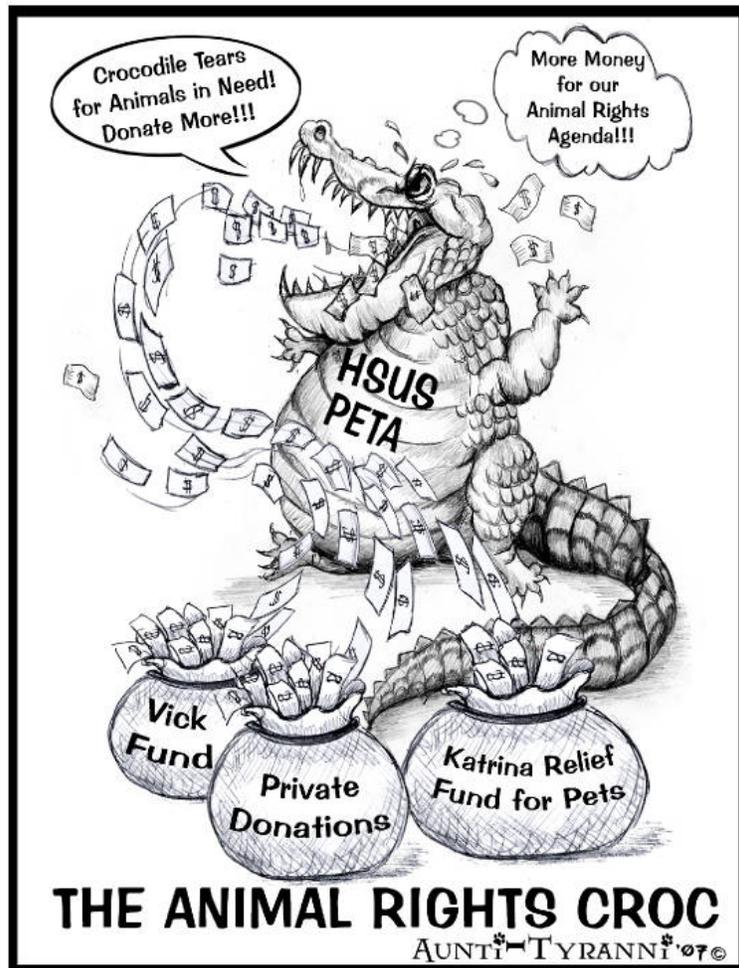
## HSUS Investigation cont...

The New York Times reported that HSUS is *not*, in fact, caring for the animals. And HSUS president Wayne Pacelle told the Times that his group is recommending that government officials “put down” (that is, kill) the dogs rather than adopt them out to suitable homes. “Like most Americans, we can’t stand dogfighting,” said Center for Consumer Freedom Director of Research David Martosko. “But we also can’t stand animal-rights fundraising that smells this fishy.” The Humane Society of the United States is not affiliated with any local “humane societies.” Although the organization runs no hands-on dog or cat shelters anywhere, some of its fundraising materials hint at a direct connection with pet rescue operations. HSUS’s online fundraising pitch related to Michael Vick has now been quietly altered to remove the claim that the group is caring for his pit bulls. But there’s no reliable way to know how much money the group raised on the basis of its earlier promises. “As usual, HSUS is exploiting Americans’ emotions about dogs to build its war chest for anti-meat, anti-dairy, and anti-medical-research campaigns,” Martosko added. “These predatory activists should return every cent and apologize for misleading the public.” In a similar episode, HSUS raised a reported \$32 million in the wake of the Hurricane Katrina disaster, promising to use the funds to rescue and reunite lost pets with their owners. But since March 2006, Louisiana Attorney General Charles Foti’s office had been investigating what happened to the majority of those funds, which HSUS does not appear to have used for Katrina-related rescues.

## Winograd continued...

with a more humane policy. The resulting April statement that came out of Las Vegas was hailed as a breakthrough. I was skeptical about it, and I wrote: In reading the new joint statement, there is no right of evaluations. There is no stated commitment to save all the

but that HSUS will recommend that they be given individual consideration and equal opportunity. But what does that mean? Does it change the outcome for the dogs? Does it mean they live instead of die? Are we really going to settle for an unenforceable promise of equal opportunity, which in



underaged puppies. There are no independent evaluations. Rescue groups do not have a right to save these animals, regardless of what the HSUS evaluation shows. And there is no commitment for HSUS to use its significant resources in order to expand the adoption opportunities of these dogs. Instead, we got, what reads to me, to be more HSUS equivocations: “recommending,” “should be,” “approved” rescue groups, “reasonable” time frame, and “future protocols.” We got a policy that says, in essence, that these dogs should not automatically be killed,

too many communities means little more than an equal opportunity to be killed? Are we really going to trust that the same people who brought you HSUS’ defense of killing in Tangipahoa, LA and Wilkes County, NC are going to fully champion the dogs going forward, especially since they resisted a new written policy and began the process by defending their actions? I am not blind. I realize what has resulted is better than the automatic kill policy, and that is certainly progress. But I also know that doing better is true by definition. You couldn’t

do worse. It isn’t possible. If only one dog is saved going forward, that’s improvement over automatic destruction. And by an automatic destruction standpoint, 13 of 145 dogs in Oklahoma is significant. It certainly is better than the zero who made it out alive in Wilkes County. But it is not enough. And but for the fact that HSUS simply refuses to give more, we don’t have more. There is simply no reason why we shouldn’t have gotten all those guarantees requested. Instead, we hold back comprehensive progress because Wayne Pacelle won’t allow for more, and we accept it for no rational, financial, or practical reasons other than Pacelle refuses. It doesn’t have to be this way. It is only this way because we let it be. The power he has is the power we give him. And so, as to whether the new policy actually results in dogs being saved, rather than killed while Wayne Pacelle, John Goodwin, and the others are still in charge of implementation, I’ll say this in a moment of diplomatic self-restraint: I’ll believe it when I see it. So what has changed since the Las Vegas meeting with Wayne Pacelle over the fate of dogs seized in dog fighting cases? From statements Wayne Pacelle recently made, the answer appears to be not much. HSUS claims it was involved in a major dog fighting bust of over 400 dogs, the vast majority in Missouri. Given the Las Vegas agreement, Pacelle’s statement about the fate of these dogs is ominous. According to Wayne Pacelle, “I think it’s pretty certain that a lot of those dogs will not pass a behavioral test”. Given everything we have been through with Pacelle: Given his unethical and dubiously legal misleading fundraising

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## Winograd continued...

over the Michael Vick dogs asking the public to donate to help care for them when HSUS did not have custody of the dogs, and then turning around and telling a court to kill each and every one; Given his embrace of the Wilkes County massacre of dogs and even nursing puppies who posed no threat to anyone; Given his agency's behind the scenes support of breed discriminatory legislation in Indianapolis; Given his embrace of Michael Vick, the most notorious animal abuser of our time; Given all this and more; His statement is outrageous. The Humane Society of Missouri, which is housing these dogs, isn't talking except to say that in a recent case, they killed half of all Pit Bull-type dogs they seized. Is that a bellwether of things to come? I would have feared so, but maybe not. Randall Lockwood, who was part of the ASPCA team that evaluated and passed the vast majority of the Michael Vick victims, is on the scene in St. Louis. He is doing a preliminary evaluation of the dogs this week and will be designing an exercise and socialization regimen for them, as well. And that, at least for these dogs, gives us a small modicum of hope. But, at this time, that is all it is. One reason is that as a consultant, Lockwood can only recommend, not dictate. In addition, Lockwood himself made statements to the media about this case that the Vick outcome may not be "replicated." He also made statements that we should not focus on our differing opinions about what to do with the dogs, but focus on blaming the dog fighters. No one questions the need to rescue these dogs from the abuse they faced. And

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## PET DEFENSE Speaks

**H**US passes laws (HSUS has almost 200 laws for this year) then uses those laws for cases it plans to bring forward, then uses those cases in their incremental process to bring down both interstate commerce and pet ownership, kennels, pet stores, dog breeders, along with difficulties for agriculture and other animals.

We can guarantee that the CA Prop 2 (battery cages) will come back to haunt us in pet ownership, or farming. HSUS will probably find some other ways to outlaw farm animals or make a huge problem for farming—after all HSUS right NOW is trying to outlaw all “non-native” species including birds, herps, guineas, ferrets, turtles and many other common species in the USA that have been owned for 50-100 years.

Ownership in the law, is of the highest legal nature, and as a concept, usually means the ultimate control over the item owned. It also usually refers to having the control legally over such item (property) and also the right to use it for as long as is allowed in the law, and in many instances, to bring a lawsuit where the owner's rights are affected. Guardianship does NOT necessarily mean any of the same things, which is why animal rights prefers it over “owner.”

CA law has statutes that show one of the main incidents of ownership in property, is the right to TRANSFER it (*Bias v Ohio Farmers Indemnity Co* (1938) 28 Cal.App.2d 14,16). Or, “A common characteristic of a property right, is that

it may be disposed of, transferred to another.” (*Douglas Aircraft Co. v Byram* (1943) 57 Cal.App.2d 311, 317)

Therefore we can see why PeTA wanted to take possession/ownership of different animals because after they owned them, they could just dispose of them in the garbage dump (after killing them via lethal injection)—and they suffered no consequences even though there was testimony that fraud was involved in the procurement of said animals.

And, we can see why HSUS doesn't want animals TRANSFERRED to others because that's an element of OWNERSHIP. The obvious next step for HSUS is to claim if animals can't be sold or transferred, then that means THEY ARE NOT PROPERTY.

HSUS is currently trying to outlaw the use (import, export, transport, breeding) or movement in interstate commerce of any non native species via HR669 in Congress by using the Lacey Act. See the PIJAC website for details, or see the post on this site with the link to PIJAC.

This would encompass virtually every bird, reptile, amphibian, fish and some mammals kept as pets. In general only a small number of species have caused environmental issues (in FL and HI.) This nonsense by HSUS subterfuge has not been lost on us. We are VERY aware of what HSUS and Animal Rights are trying to do. Clearly the agenda is to chip away at the ownership of animals until we miss the fact that the WORDS USED FOR OWNERSHIP have been eliminated, then next thing you know—HSUS has eliminated the ownership of animals. No

transfers, no selling, no bartering, no trading, etc. This has already been attempted in HSUS anti pet laws where a dog with cropped ears couldn't be transferred/owned by a rescue because the rescue didn't have the documents proving how the ears were done.

It would be easier to make “owning” something next to impossible, or exorbitantly too expensive or far too much red tape, than to outright say “you can't own that”—which is Animal Rights done the HSUS way—as can be seen by the multitude of 180 Anti pet laws HSUS is pushing just this year.....

HSUS has a habit of purposely drafting bad laws, then getting them passed, then taking cases, and using the laws that HSUS has HELPED PASS—as proof that such ideas have already been cemented IN THE LAW. In other words, HSUS makes the very laws it fully intends to use as part of a case it has already planned, then if they win that case, it will set some precedent in the law. THIS IS THE NUMBER ONE HSUS GOAL—TO SET ANIMAL RIGHTS LAW PRECEDENT. If you value your ownership over your pets and animals, and the fact that pet-related businesses are allowed to profit over the selling, buying, trading, owning, or otherwise pet-related legal business ownership; if you want CHOICE in what dog or cat or bird or fish that you can BUY, own, or trade or sell; if you want the ability to eat the foods you like (milk, eggs, cheese, meat) then you do NOT want to support ANY HSUS LAWS

When you realize that most farmers now rely on European honey bees to pollinate America's food crops....

**California Prisons Will Soon Be Filled With Animal Owners**

California pet owners, farmers and ranchers are under assault within our legislature via undue influence buying by the Humane Society of the United States and PeTA. This is occurring concurrently in 34 states across the Nation.

Upon examination of the bills 1 SB250, AB1122 and AB241 in their combined totality, it becomes clear that the intent is to make animal owners criminals and that there is no way if these laws pass for any animal owner no matter how responsible to avoid being a criminal.

**SB 250** (Florez – D) – A one strike law for any dog or cat with mandatory sterilization as punishment for any infraction

**AB 241** (Nava – D) – Limits total household dogs and cats combined to 50. HSUS has declared its intent to lower the limits once such bills are in place.

**AB 242** (Asm. Nava – D) A crime if-- (1) one owns, possesses, keeps, or trains any dog, with the intent that the dog shall be engaged in an exhibition of fighting with another dog; (2) For amusement or gain, causes any dog to fight with another dog, or causes any dogs to injure each other. This section could mean a playday at the dog park, beach, backyard.

**AB 243** (Asm. Nava –D) Expands powers of animal control and humane officers to impound animals without due process. Establishes liens on animals for care of animals requiring owner to petition court for release of animals; allows humane officers to kill “abandoned” animals. Allows humane officer to act as court. A clear conflict of interest. Re-

moves any liability of treating veterinarian. The petitioner shall have the burden of establishing probable cause to believe that even in the event of acquittal, the owner cannot and will not provide the necessary care or that the owner will not legally be permitted to retain any of the animals in question. If the court finds probable cause exists, the court shall order immediate forfeiture of the animal to the petitioner.

This is the height of craziness, if acquitted you still suffer the same punishment that would have been applied if you were found guilty. This is a form of de facto double jeopardy. If acquitted the courts MUST have NO ADDITIONAL ACTION against the acquitted person(s). The acquitted person(s) MUST NOT be held liable for costs incurred falsely (by reason of the acquittal) by the seizing agency. If expenses incurred during impoundment of animals are not paid within 14 days, allows agency to destroy animal. This again is insanity. So I am acquitted and I still cannot have my animals back because Animal Control has racked up unknown thousands of dollars in unnecessary charges. This means that again acquittal means nothing. The agency that seizes the animals is in a win/win situation where as the owner suffers even when acquitted. The seizing agency MUST NOT be allowed to profit from an acquittal. This only encourages graft and corruption in Animal Control. See below; if the animals are not physically fit and have been in the charge of the seizing agency one has to question the seizing agency’s culpability for the animal’s condition.

SB 318 (Sen. Calderon-D) Sets a precedent giving for-

feited real property to private corporations, namely SPCAs and Humane Societies for dog fighting crimes which includes a stand alone animal cruelty charge. The conviction could turn out to be simple animal cruelty without the fighting charge and the forfeiture would still be enforce. Crime includes breeders of fighting dogs. Forfeiture procedure requires simple notice of 3 weeks posting in a local paper, and vested owner of real or personal property must reply within 30 days of filing of forfeiture motion which can occur concurrent with criminal charge before guilt is proven.

**AB 1122** (Lieu-D) – This bill is under animal abuse heading which means conviction can cause the removal of ALL animals from home. Makes selling, transferring or giving away live animals a new crime (misdemeanor) if transfer takes place on or in public or private roadways, parks, parking lots (even private). Lieu claims bill drafted after a law in Arizona which makes sales of animals in parks a \$50 infraction. The organization that “wrote” this bill, California Animal Association is a shell for HSUS, PeTA and many of their umbrella affiliates. Their claims of millions of California members is not substantiated as per their 990 forms.

The common denominator besides criminalizing ownership and sale of animals, expanding the power of humane officers and clogging the courts with misdemeanor cases which means the defendant is not entitled to a public defender so all legal costs are born by the defendant, is all these bills represent unfunded state mandates which will cost both an already bankrupt State and ultimately the TAXPAYER.

**What can YOU do to fight back?**

Many of these bills are making their way through the legislature at breakneck speed. Senator Florez promised to fast-track the bills and he is making good on that promise.

At this point, animal owners, farmers and ranchers must appeal to Governor Schwarzenegger to VETO ALL THESE BILLS that will cost the State of California many millions of dollars from the State Mandate Fund. The Hayden Act is now a victim of the Mandate Commission’s interpretation of that law that rewards the killing of shelter animals rather than reward the adoption of shelter animals.

Call, fax, and write :

Honorable Governor  
Arnold Schwarzenegger  
State Capitol Building  
Sacramento, CA 95814  
Phone: 916-445-2841  
Fax: 916-558-3160



**Senator Dean Florez (D-Shafter) who said “I am not Lloyd Levine and SB 250 is not AB 1634” (Hey Dean, “D Shafter” you can’t fool us!)**

## From Outside the Tarnished "Golden State"

By John Bowen

In mid 2000, I ended my 40 year residence in San Diego County and moved to Arizona. Since then I have been joined by several thousand more disenchanting former California residents. Despite the fact we left climate paradise and many long time friends, family and organizations, entered a very challenging summertime climate, and a right-to-work state with lack of many of the benefits of California, none of my contemporaries has voiced regret in making the move. Almost all that I have met have been because of our mutual interest in the hobby of purebred dogs. However, since I am not totally consumed by this hobby, as many are, I have also met many professionals in law, medicine, sales, and many tradesmen such as carpenters, drivers, jewelers, and agriculture workers. All have left as the promise of freedom in work, professions, trades and choice began to dry up in our chosen state. It is significant that the egalitarian sport of purebred dogs is also a great deciding factor in many of these professional's lives. I met most of these skilled, educated folks at the dog shows, but asked the questions regarding their livelihood and occupations. It is my belief, founded on these factors of inquiry, that California will soon be devoid of its bravest and best citizens, should the state not break the stranglehold of the tyrannical legislators bent on inflicting their power upon all the citizens. And, it is not strange that the field of animals is being used to finance and motivate this

takeover of all freedoms in the state possibly most critical to the United States of America. A majority of households in California and the United States, 67%, have pets. A group of cults (religions) opposes the keeping of any animals, especially pets. These cults have all the earmarks of religions, with dietary rules and reproductive rules for their "members". They also have tax exempt status, and very clever marketing. They also sympathize and "morally" support more active groups that clearly engage in violence for the same causes. The clever marketing both raises huge sums of money and cleverly disguises the true aims of these religions. With tear-jerking stories, and significant political contributions of tax-free monies donated by misguided, uninformed citizens these religions have enlisted the aid of many ignorant and ambitious legislators. Members of the religions then compose legislation to be introduced and passed into law, wreaking tyranny upon law-abiding, kind and generous citizens. The warm and fuzzy Proposition 2, passed recently in California, is a prime example. The entire population will feel the results on the dinner plate and in their wallet pocket. And, it is not coincidental that California legislators then sought to ban all products not produced under Prop 2 conditions from entering the state, to impose their citizen's own foolishness upon all other states. Now the question of SB250, or "cutting off one's gonads to spite one's own state". The sport of purebred dogs provides a direct \$1 BILLION to the economy of California. The indirect results are more, in the area of \$2 BILLION when all the support activities come into play. And the actual

targeting of the hobby fancier is no accident there, either. While hobby fanciers do not contribute to the man-made mythical problem of "pet overpopulation", they do provide a pinpoint origin of interest in the subject of purebred dogs. It is these people who start future fanciers into the sport at hobby level. So, these fanciers have to go! They must be destroyed! And using law is the only way to do it, as long as the rule of law exists as our civilization's main guide. Therefore, we now have the proposition of SB250, designed with dead-ends at every clause, criminalizing previously benign and beneficial behavior of good honest citizens. Will common sense rise to the fore and save the day for the once great state of California? Or, will special interests of the selfish segments that have torn the state asunder continue their cannibalistic course and gobble up the last vestiges of humane nourishment left in the good hearts of long enduring, compassionate dog fanciers and other producers of California wealth? My guess is that what has blinded the political processes in the once golden state of milk and honey is incurable and malignant. It will take Herculean effort of all concerned to stem this malignancy that kills all thought of the future for the state. Unless emergency surgery of recall, impeachment or outright rebellion (perish that thought, it is only the animal rights religions that resort to violence) brings faulty debate to an untimely end and saves the day for California pet animals. *Meanwhile, the free state of Arizona will welcome all you highly skilled, well educated professionals, craftsmen, and honest people to become our next wave of true citizens for a bright, free future.*

## THOUGHTS ON THE MYTH OF PET OVERPOPULATION

By Chuck Bridges

Maddie's Fund and the Ad Council recently provided some statistics that should help clarify some of the arguments against many types of Animal Rights legislation. The Maddie's Fund presentation states that across the country there are 17 million households that (1) will get a pet within the next year and (2) haven't decided where to get their pet (shelter or breeder). The presentation also states that there about 3 million pets euthanized each year. The conclusion that I reach is that if every shelter animal were adopted, 14 million households would have to get their pets from breeder-sourced outlets

Let's apply the concept to California: The state represents about 12 percent of the U.S. population. So, 12 percent of 17 million is about 2.0 million households (remember the description, that (1) will get a pet within the next year and (2) haven't decided where to get their pet (shelter- or breeder-sourced)). The most recent state shelter statistics (2007) indicate that about 340,000 dogs and cats were killed in shelters. This suggests that if every shelter animal in California were adopted, citizens in the state would still demand 1.6 million pets next year from non-shelter sources.

Traditional animal control ideologues view this marketplace for pets as the source of abandoned animals without recognizing that this same marketplace *is the only alternative for shelter animals, other than death.*

## Winograd continued...

kcdogblog's aptly titled posting about the situation, *Scumbags*, conveys what we think about the perpetrators. But Lockwood is wrong. The case is in the hands of the U.S. Attorney. So there is nothing more to do on that score. The only choice now is whether, when granted custody of the dogs, the Humane Society of Missouri will kill them or whether the Humane Society of Missouri will not kill them. In fact, that is all we should focus on. But at the very least, the outcome isn't guaranteed as it would be if HSUS was involved. Because if Pacelle's kill-oriented crew were involved, Pacelle's premonition would be the most likely outcome. But the fact that Pacelle doesn't have a role in their future doesn't make his callous comment less obscene. Once again, HSUS has taken on for itself the role of championing killing. Once again, Pacelle shows he is not fit to run the nation's largest animal protection organization. Once again, Pacelle shows that his claims that "HSUS is changing" ring hollow. Once again, Pacelle replaces comprehensive, thoughtful, rigorous analysis, with an ignorant sound-bite that favors death. If the Vick tragedy taught us anything, it is that our most basic assumptions about dogs, pit bull-type dogs, and dog aggression, were wrong. In short, it showed we can save virtually all the dogs, even when they were raised for dog fighting and horrifically abused. After the arrest of former national football league quarterback Michael Vick and the seizure of almost 60 pit bull-type dogs raised for fighting, many animal protection organizations called for the dogs to be killed, arguing that these dogs were vicious and beyond our ability to help them. None made

## Back door "No Kill" saves dogs in Lake County

The 2008 Department of Public Health statistics held a pleasant surprise for dog lovers across the state -- the number of dogs killed in shelters in the County dropped by nearly a quarter or 131 dogs. Was this another example of "cooking the books" to support ineffective an MSN

policy. It took a call to Lake County Animal Care and Control to find the answer, but kudos goes to LCACC. It turns out that Lake County has developed alliances with "No Kill" shelters in Northern California that allow LCACC to ship adoptable pets to those "No Kill" shelters rather exe-

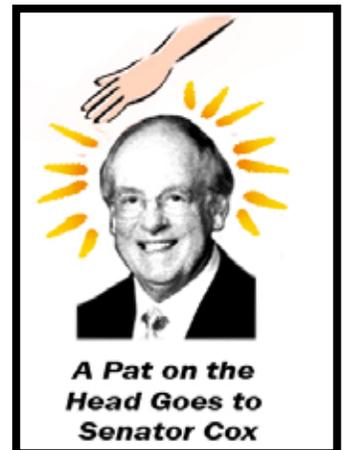
cuting them locally. In 2008, these alliances saved the lives of 213 dogs, and LCACC is not officially "No Kill" by declaration or approach. Call it what you want, this "out of the box" thinking by LCACC saves the lives of pets and shows the power of "No Kill" -- even the back door variety.



## Help Laddie save California's Dogs and Cats by supporting "No Kill"

this argument after evaluating the dogs, but based on assumptions about pit bull-type dogs, dog aggression, and dog fighting. After deceptively fundraising off of the dogs, for example, the Humane Society of the United States lobbied to have them killed. Because they believe all Pit Bulls who enter shelters should be slaughtered, it was no surprise that PETA also asked the court to put them to death. In 2008, the court thankfully said "No." Only one dog was

actually killed for aggression after evaluation, and the remaining dogs were placed in either sanctuaries or in loving new homes. Two of the dogs are now even therapy animals, providing comfort to cancer patients. The results forced even dog lovers-but more importantly the humane movement-to question their most basic assumptions about dogs, pit bull-type dogs, and dog aggression. **In short, it showed we can save virtually all dogs in shelters.**



SENATOR DAVE COX :  
"EVERY DOG IS A WORKING DOG. EVERY DOG HAS A JOB"