



# NATIONAL ANIMAL INTEREST ALLIANCE

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

May 19, 2014

Letter in opposition to proposed Section 78-10  
regarding the retail sales of cats, dogs and rabbits

Dear Mayor and Common Council of the City of Milwaukee:

I am writing on behalf of the National Animal Interest Alliance (NAIA), a broad-based animal welfare organization founded in 1991 that is dedicated to securing high standards of animal care and treatment, and to preserving the human-animal bond. Our members are dog and cat enthusiasts, hobby breeders, rescuers and pet owners, animal professionals, scientists and veterinarians. We have members in every state. Our Milwaukee members are deeply concerned about proposed section 78-10, which would require pet stores to obtain their pets from shelters. We write to express our strongest opposition.

No decent person condones cruel or neglectful treatment of animals, so the proposal's goals are understandable and worthy of support. The problem is not with the goals, however, but with the method chosen to achieve those goals. Simply put, the proposal you are considering would do nothing to solve the problems it's intended to fix while causing new problems. In addition to being profoundly misguided, the council's current proposal is extreme, un-American and probably unconstitutional. Before passing this proposal, please talk to council members in other cities where these ordinances have been adopted. Ask if they were successful in achieving their stated goal. Ask why some municipalities have repealed similar ordinances only a short time after passing them. Ask about the toll of ongoing lawsuits. If you take the time, you'll find that the issue is much more complicated than it appears to be on the surface and that the action you are considering will lead to unintended consequences you have not taken into account.

Please do some research on the national groups that are backing these ordinances. You should be aware that two of the most active national groups promoting such bans, [the American Society for the Prevention of Cruelty to Animals \(ASPCA\)](#) and [the Humane Society of the United States \(HSUS\)](#), recently paid \$9.3 million dollars and \$15.75 respectively to settle a [Racketeering Corrupt Organization Act \(RICO\) lawsuit brought against them by Ringling Bros](#) after it was discovered that they had used a paid witness to attack Ringling Bros.' care and treatment of animals.

There are black sheep in every business and activity, but it's rare and highly prejudicial for policy makers to ban whole business categories. Typically lawmakers pass laws requiring standards to be adopted and then close down the businesses that don't comply. Our group supports imposing reasonable standards on pet stores to assure that they obtain their pets from

humane sources and handle them with care; and we would support shutting down ones that do not change their practices accordingly. **But taking this broad brush approach on a categorical basis rather than on the basis of actual practice, simply codifies a prejudice and gives largely unregulated businesses (shelters and rescues) an unimpeded marketplace advantage over highly regulated ones.** This might be okay if rescues and shelters didn't have their own black sheep operating in deplorable ways, but rescues and shelters are not immune from animal welfare problems, only from regulation.

Banning anything that the public wants simply drives the market underground. It doesn't solve problems. Prohibition proved that. But even more significant than not solving the targeted problem, it proved that banning something the public wants creates new problems. The public wants puppies and they often want specific breeds that are not available in shelters.

Bans such as the one contemplated in Milwaukee will increase animal welfare problems. Significantly, the rescues and shelters this ordinance supports as an alternative to pet stores are rarely regulated in any significant way and are found increasingly to operate in ways that are inhumane and threaten public health and safety. Many of the rescue and shelter dogs available in Wisconsin were imported from other states and offshore territories. [Please read this article from 2010 to glimpse the sort of unregulated rescue activity taking place routinely.](#) Please read this [recent article about the rabid rescue dog](#) that was transferred from Georgia to Vermont for placement last October. This is not an isolated case. Indeed rabies, a disease that is nearly always fatal and kills 55,000 people worldwide each year, has been discovered in several rescue dogs in just the last few years. Please read [the press release issued by Vermont Public Health Veterinarian](#) regarding rabies in a rescue dog. **No such incidents of rabies have occurred in pet stores for more than 20 years.** If you pass this ordinance you will be swapping a heavily regulated business for one that is not only unregulated, but brimming with problems; public health and safety problems you are elected to protect your citizens from.

In addition, please recognize that the horrific images and claims that the anti-pet store activists are showing you are well-orchestrated propaganda tactics designed to convince you that the horrible kennels pictured (whose practices are already illegal) are typical rather than the exceptions we all want to eliminate. This blurring of issues just coincidentally gives activists a competitive market advantage. Ask the activists for documentation on the kennels they are showing you. In recent California hearings, images of kennels that were shut down more than a decade ago were shown to promote passage of a similar law.

Please take the time to talk to true animal welfare experts, not just to fundraising groups and activists who, no matter how sincere they may be are so biased, they cannot provide you with the balanced, accurate and timely information you need to make sound public policy decisions.

There are bad commercial breeders and there are bad pet stores, but there are also excellent stores and commercial breeders with outstanding facilities and top notch animal welfare and veterinary standards. If you truly want to help dogs and cats, pass a law that requires pet stores to source their dogs from places that can be demonstrated to operate with high standards. Don't swap a pet store that buys from an inspected and regulated breeder, for rescues and shelters whose supply chain is totally unregulated and often includes fly-by-night operators.

Our group is active and well-informed on many animal welfare issues and can provide solid evidence to challenge many of the claims made by the advocates of this proposal. Many of our board members have participated in rescue for many years, even decades; and one of our board members is the former executive director of NYC Animal Care and Control. We are familiar with changes in sheltering and rescuing of which many in the general public are not yet aware.

Are you aware, for instance, that the number of dogs available in northern shelters has declined so severely that rescues now bring dogs north from southern states, Puerto Rico and Mexico so that they'll have dogs to sell? If you are interested in learning more, we can put you in touch with people in different cities that have adopted and then overturned similar ordinances, and with people who are now spending their county's money fighting lawsuits as a result of passing such ordinances. If you have any questions at all, please call or email me so that our group can steer you in the direction of the facts you need.

We strongly support the intent of this proposal but just as vigorously oppose the proposal as currently drafted, knowing that it will cause more problems than it solves.

Sincerely,



Patti Strand, NAIA President