

## Correspondence on the County of Ventura's Proposed Ordinance

March 7, 2012

Dear Mayor Huber  
and members of the City Council  
in and for the City of Simi Valley:

Thank you so much for the opportunity to provide some background and insight concerning the topic of the proposed ordinance **MANDATING THE SPAY-NEUTER OF BULLY BREED DOGS**.

This is an emotional issue for those of us in the rescue industry, in shelters and amongst breeders. Some people are willing to grasp at straws and cling to ANY idea that has even the remotest chance of helping reduce the need to kill adoptable dogs. Others oppose government intervention in their private lives and will fight mandatory ANYTHING. In this case we believe the VCAS director is trying to appear proactive by suggesting this program without concern for how or when or if it can ever be implemented or used to achieve its stated goals. We believe it is mere lip service and a diversion from other programs that WOULD impact the rate at which adoptable animals are being killed in Camarillo.

We oppose any ordinance that requires the altering of **just** bully breeds for the following reasons:

1. There is no evidence that bully breeds are the single most prevalent breed in our local shelters sufficient to single them out for this requirement. If bully breeds, why not Chihuahua mixes too? How many is too many?
2. Bully breeds are the most commonly euthanized breed in part because ours is the only local county that requires a home check be conducted for all bully breed adoptions. People who might otherwise be willing to adopt a bully will go to Los Angeles or Santa Barbara so they do not have to undergo the home check or wait the many weeks it can take to secure one from our county. There is no evidence that mandatory home checks saves lives or stops breeding or reduces strays. Those people will just get their pit bulls from neighboring counties...reducing adoptions of the bully breeds from our own shelter. The home check requirement is causing more pit bulls to be IMPORTED from other counties, increasing the problem locally.
3. Our shelter, by the director's admission, lacks the time and the staff to implement the programs it already has. Adding another time or processing requirement to their work load will further reduce the quality of service to ALL the animals and to residents of the county. We routinely find clerical errors in a least 50% of the paperwork maintained and generated by shelter staff. Maintaining accurate records is NOT something at which they are particularly competent. We rescue dogs whose records say they are neutered when they are not. Females that are intact when the record says spayed. Wrong genders, wrong weights, wrong breeds and wrong ages. Until they can adequately service their current programs, adding any new program with a record keeping requirement would be ill-advised. Where does the extra time and money of implementation come from?
4. The shelter vet does not perform spay and neuter surgeries. The surgeries are sub contracted to outside labor who come in 2 days a week to perform the procedures in a trailer behind the shelter buildings. Any mandatory spay/neuter ordinance needs to account for the vet protocol already in place, or the LACK of a vet protocol.
5. What percentage of pit bull heritage triggers the title "bully breed"?? Who decides and how? Who keeps the dog during the appeal process? Who pays the boarding if the resident wins the appeal? Who pays for the DNA testing? If the dog is 1/2 pit bull and 1/2 lab, why is it not a lab? Rottweilers, Akitas and Boxers also require home checks...why not mandate altering them too? 6. Santa Barbara spent 14 months with a task force trying to develop a mandatory spay/neuter ordinance....with very limited success. Theirs addresses ALL breeds without discrimination. It requires a spay/neuter or a statement from a vet that they

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have discussed spay/neuter with the dog owner and the owner elected not to have the surgery performed. The cost of the extra vet visit causes most folks to just let the shelter perform the surgery as a cheaper alternative. The rescue community is not entirely satisfied with the ordinance due to spotty enforcement.

7. Our VCAS director says the ordinance will only be enforced when dogs are impounded and they will not send out canvassing teams...who trusts that statement? This invites arbitrary, selective and capricious enforcement activity. You either adopt an ordinance you have the time, resources and intention of enforcing, or don't waste everyone's time.

8. The ordinance as proposed relies on popular prejudices and simplistic "quick fixes" which will not have the desired effect. It is the mandatory home check that creates the back log and disincentive to adopt bully breeds in Ventura County. Spay neuter IS part of the answer to shelter overcrowding...but only when it is applied evenly and universally.

9. The better, less arbitrary and prejudicial ordinance would be one that requires ALL dogs brought in as strays be altered for free as a condition of return to the owner unless the owner can produce AKC papers AND a breeders license...OR...a statement by a vet saying the dog is already sterile, or too old, too young or too sick to undergo the operation. Period. Such an ordinance requires no decision making process, no breed identification quandary and puts the burden of producing evidence squarely on the dog owner. It targets dogs that stray, the ones most likely to become pregnant or stray again. There are no hearings and no appeal. It does not discriminate by breed or community and is easily enforced across the boards.

10. In a recent interview, the head of Los Angeles Animal Services was asked to comment on their mandatory spay and neuter laws. Passed in 2008, the Los Angeles ordinance requires ALL dogs be altered. Director Brenda Barnette said when asked about singling out the bully breeds, "I can't imagine the foolish breed-discriminatory legislation being proposed in Los Angeles...".

We understand how important it is to reduce shelter overcrowding and how attractive it sounds to be able to reduce the number of ANY breed dogs being killed. And we support realistic and effective spay/neuter legislation. BUT, selective enforcement causes more problems than it solves. Limiting the spay neuter requirement to bully breeds is a partial solution when a better, more far-reaching and more easily implemented one is available. We implore you NOT to jump at the wrong answer just because it is convenient and reacts to popular prejudices.

If VCAS, the cities and the VCAS Commission have the will to tackle the issue, then do it right and do it once...Spay and neuter them ALL.

Respectfully,

Diane Rowley Van Sickle, J.D.  
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President  
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