



## Major Setback for Animal Welfare

When we first thought about this newsletter, we were excited about the changes in the Ringling Brothers Circus, not only that the elephant acts were discontinued, but also that the circus itself was closing - apparently people were learning about the cruelty inherent in using animals for entertainment. It will hopefully open doors to stop other venues from abusing animals in similar situations.

Much of what we know about what happens behind the scenes regarding animals is due to relevant information from a critical USDA website, but that shockingly changed recently. As we went to press, it was still a developing story.

For years, organizations intending to protect animals from harm in various animal use industries have been able to rely on investigations from the US Department of Agriculture (USDA). The USDA is mandated with carrying out the provisions of the Animal Welfare Act and Horse Protection Act, and it has done so by investigating animal facilities. Pet store owners have relied on USDA reports to ensure adequate health, safety, and humane treatment of puppies and kittens obtained from their sources, while zoos, research labs, circuses, and university labs used their reports to claim adherence to animal welfare regulations. On February 3, the USDA abruptly removed all such reports from its website, allowing groups like abusive puppy mills, inadequate and cruel roadside zoos, and careless animal research labs to operate in comparative secrecy.

The removal was apparently in response to lawsuits against the USDA by violators of its rules, especially by proponents of horse soring where horses (Tennessee Walking Horses) are "trained" to "high-step" by applying caustic chemicals to their legs and using other highly cruel procedures, causing them to lift their legs high in order to try to minimize the pain. The outgoing Obama administration had tightened the rules to prevent this soring practice, but the Trump administration put these tighter rules on hold, allowing this extraordinarily cruel practice to continue. The justification for the removal of these reports was to protect individual privacy. These are the exact same reports and records that many groups relied upon to protect the welfare of animals. The agency's decision has even been criticized by some of the regulated industries, who welcome the public's trust through their transparency and clean records.

The USDA asserts that such records and reports will still be available through the Freedom of Information Act (FOIA), but FOIA requests can take weeks or months, even years, to obtain the same important



*Example of horse who was trained to "high step" using the inhumane soring process. Soring involves the intentional infliction of pain to a horse's legs or hooves in order to force the horse to perform an artificial, exaggerated gait.*

information that used to be available instantly. Moreover, the USDA has gaping FOIA exemptions, such as #6 and #7 that allow the redaction of information that "could reasonably be expected to constitute an invasion of personal privacy." Investigations that reveal horrible puppy mill conditions, egregious laboratory animal abuse, farm animal cruelty, and horse soring could certainly be said to be invasions of privacy by the abusers who want to carry out their usual business practices. Apparently, making sure that a habitual abuser's privacy rights aren't brought out into the open for correction is more important than the rights of millions of animals to humane treatment.

It's possible that the USDA will reverse its poor decision to remove these valuable reports in response to public pressure. Even several Congressmen have expressed opposition to what the USDA has done. The HSUS has notified the USDA that removing the reports and records violates an accord reached in 2009, and this could grow into a lawsuit against the USDA decision, hopefully with many other animal welfare groups joining on. Animals deserve and need this oversight, little as it is.

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## President's Message

Great news! After a lengthy investigation, the NYS Attorney General's (AG's) Office, working with local authorities, recently put an unscrupulous pet store operator, Richard Doyle -- who ran stores in Dutchess and Westchester Counties -- out of business in New York State.

Over several years, scores of individuals filed complaints with the AG's Office when, after purchasing puppies from his pet stores, the puppies became sick with various ailments. Naturally, after having brought puppies home and bonding with them, the various owners did not want to return them. Instead, they spent hundreds of dollars to bring them back to health. Actually, to say "bring back to health" is a misnomer, as they were not healthy to begin with, many having come from various puppy mills.

In addition to stripping Doyle of his NYS pet dealer's licenses, Doyle has to pay \$20,000 in penalties, a portion of which will be given to the complainants to offset the monies they spent treating their puppies.

We had hoped that animal cruelty charges would ensue, but unfortunately, that was not in the cards. Though past employees were willing to provide anecdotal evidence of neglect and other misdeeds, those statements were old and could not be supported by concrete evidence. And sadly, current employees would not provide statements to substantiate the accusations that were swirling about. So, the DA's offices were stymied.

What the DA's Offices did advise was to ask the public not to frequent pet stores that sell commercially bred animals, since in most cases, they are obtained from puppy mills. If you or someone you know is looking for a companion animal, go to the local shelters or to reliable breed rescues. The way to stop the flow of puppy mill dogs is to stop the demand. And, if you want to really do something positive, ask your town or city to create an ordinance or law in your community that bans pet stores from selling commercially bred animals. The Village of Port Chester has done it, so it can be done and should be done across the state.

Always be kind to animals,

Patricia Valusek

## NYSHA's Calendar

**4/22/2017 - Seminar for DCOs, ACOs, and police**, at HVCC in Troy. Covers Article 7, Article 26, and other animal control issues. More information will be made available via Facebook.

**5/31/2017 - Humane Lobby Day for Animals**, at the Legislative Office Building in Albany. This is a great opportunity to become informed on bills and let your legislators know of your support. Look at The HSUS website for more information.

**6/6/2017 - Animal Advocacy Day**, in the "Well" in the Legislative Office Building. In addition to speakers, booths are set up displaying brochures, flyers, info about the various shelter and rescue groups. If you want your group represented there, contact Senator Tedisco's office.

**June 2017 - Adopt-a-Shelter-Cat Month**. If you are looking for a companion kitty, please visit your local shelter where there are always many loving felines who would love to live in your home and bring you some wonderful companionship.

**September 2017 - Hudson Valley Vegfest** – Please come visit the Vegfest on September 23 and 24 at the Dome at Gold's Gym in Poughkeepsie. Information can be found at [hvvegfest.org](http://hvvegfest.org).

**Please visit us on our Facebook Page - New York State Humane Association (NYSHA). There is also a link from our website. We hope you will "like" us.**

[nyshumane.org](http://nyshumane.org)

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## The Vet Is In

In my practice, I am often introduced to a newly-acquired puppy whose ecstatic guardian assures me that they did not get their new friend from a puppy mill, but instead from a "private breeder" whom they found on-line. Alternatively, a new guardian tells me their new pup came from a local pet store, in which case they are unwittingly supporting puppy mills. If a prospective owner is seeking a puppy and asks whom I would recommend, I invariably refer them to the shelters and rescue groups in my area who save unwanted dogs, both locally and from southern shelters, check them for health issues, and offer them to the public through adoption clinics after carefully screening the applicant.

In the latter situation, the new guardian is not supporting the horrendous cruelty that puppy mills subject their "produce" to, but is rather offering a home to a dog whose existence is due to lax spay/neuter practices in a community, rather than being mass-produced to add to the profits of a cruel commercial breeding program. For clients who are unaware of puppy mill practices, I refer them to the internet to learn the grim facts from People for the Ethical Treatment of Animals and The Humane Society of the U.S. who have investigated puppy mills exhaustively.

The public's increasing awareness of the brutality of these enterprises has made producers adopt a different subterfuge: they now display puppies on the internet rather than in pet stores. The websites depict



*Horrific living conditions for puppy mill dogs.*

beautiful snuggled puppies in an immaculate background – a falsified image compared to the reality of the filth and disease of the stacked wired cages where these pups receive no socializing or humane care. The location of the "breeder" is not specified, but the prospective buyer is assured that this pup has been given the best of care, and will be shipped to the new owner at a very young age.

So how does one distinguish a conscientious breeder from a puppy mill with a sophisticated and dishonest marketing program? The following

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## Our Voices in Albany



*Stevie, 10-year-old cat, painfully declawed and still given up, was one of the few luckily rehomed.*

Please make your voices heard at the New York State Humane Lobby Day for Animals, which is planned for Wednesday, May 31, at the Legislative Office Building in Albany. NYSHA teams up with The HSUS, the sponsor of Lobby Day, to encourage people from across the state to come and meet with their representatives and make their concerns about animal legislation known. Please keep an eye on the NYSHA website and Facebook page, and watch for email alerts for more details regarding specific legislation.

Another way to make your support of animal legislation known is to attend Animal Advocacy Day, an annual event to be held this year on June 6, at which time various legislators speak about their commitment to the animals and declare their positions regarding animal legislation. The date has not yet been confirmed, so please watch the NYSHA website and Facebook page for more information.

Currently, NYSHA is supporting the following pieces of legislation: a bill to end the practice of cat declawing, sponsored by Senator Griffo (S3376) and Assemblywoman Rosenthal (A595), and a bill to improve the requirements governing the care of animals in pet stores and in the facilities of breeders, sponsored by Senator Boyle (S513) and Assemblywoman Paulin (A72). If you are in the sponsors' districts, please contact them and voice your support. For all others, contact your representatives and urge them to support these important bills. Email blasts will be sent when your immediate help is needed to contact your representatives regarding specific legislation.

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## Fall Investigation Workshops Round Out 2016 Schedule

NYSHA rounded out 2016 with two well-attended workshops, both of which garnered numerous attendees from area law enforcement agencies, along with representatives from the probation department and various other agencies concerned with crimes against animals.

The first of the fall workshops took place in October at the Fire Training Center in Pomona, in Rockland County. Appearing as speaker on the Animal Cruelty Laws portion was Marc Kissel, Esq., who is also a NYSHA Board member and a humane investigator for the Hudson Valley Humane Society in Rockland County. The workshop also featured NYSHA's speakers, along with Rockland County ADA Robert Trudell.

The Montgomery County Sheriff's Office hosted our final workshop of the year in December at the Sheriff's training center in Fultonville. NYSHA's longtime instructor, retired State Police Investigator, Sue McDonough presented the Animal Cruelty Laws segment of the workshop while the balance of the topics were addressed by other NYSHA speakers, along with Montgomery County District Attorney Jed Conboy.



*State Police Investigator George Bird instructs a full house at Montgomery County workshop.*

### NYSHA Recognizes Madison County ACO Kim Muehlenbein

NYSHA's "Spotlight" section features various groups and individuals who go above and beyond to improve the lives of animals. ACO Muehlenbein was brought to our attention by Joanne Cronan-Hamoy from the Wanderers' Rest Humane Association in Canastota, NY.

Ms. Muehlenbein has worked for over 30 years, covering several towns and villages in this county which is located near Syracuse. In addition to her unfailing response to dog and cat complaints, she responds to numerous animal issues that residents call about and provides police with onsite assistance. She always seems to be in the right place at the right time for the animals she rescues. According to Ms. Cronan-Hamoy, "You never know what she may have riding on the passenger seat beside her in the state-of-the-art van that she drives on a daily basis."

Ms. Muehlenbein's years of animal-related experience enable her to assist police with documenting cases, going to court, and obtaining reimbursement for costs. She also provides her guidance to anyone who needs it to deal with animal cases.

Ms. Muehlenbein says she's fine doing her work day-in and day-out, and she fortunately has the personality to brush off the criticism that repeat offenders heap on her. Her ability to provide foster care for the animals who have been starved or injured in cruelty cases is nothing short of exceptional. Many would not have made it without her.

Her colleagues, police officers, and all who work with her, praise her skills and knowledge, and value her friendship. In sum, Ms Muehlenbein is an excellent Animal Control Officer and a perfect role model for all others across Madison County and beyond.



*Kim Muehlenbein, seen here with "Caesar," whom she fostered. He is a Great Dane/Mastiff mix, who was starved to 46 pounds, resulting in a felony charge of aggravated cruelty. Now at about 100 pounds, he is emotionally recovering from his horrific experience.*

Ms. Muehlenbein – NYSHA, along with your friends, colleagues, police and fellow ACO officers, and most importantly all the animals you have personally saved from danger, pain, suffering and abandonment, salute you for your decades of excellent service.

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details should make a prospective buyer suspicious.

- The location of the breeder is not specified; the pup will be shipped by plane to the new owner, or the owner will drive to pick up the puppy at some commercial location.
- The breeder has numerous breeds and colors available.
- The pup will have received multiple vaccinations and deworming treatments at a very young age.
- The puppy will be registered with the American Kennel Club (whose huge profits from puppy mill litters make the AKC reluctant to shut them down.)
- Puppies typically originate from MO, MS, AR, OH, PA, or, in New York, may come from Amish breeders.

A reputable breeder focuses on one breed, is proud to show you their puppies, the parents, and their set-up in a site visit, and may have had a prior veterinary exam for the puppy. Often, the parents will have been screened for health issues (e.g. hip dysplasia, cardiac abnormalities, or ocular diseases.) If you must adopt from a breeder, these are the ones to support.

However, NYSHA hopes that prospective buyers will contact the organizations in their area to look for local adoption clinics, thereby giving a home to a dog in need so that he/she is not housed in a shelter for life: there is never enough room in shelters for all the strays needing homes. In addition, we ask you to support those pet stores that do not sell dogs and instead offer "adoption clinics," run by local rescue groups.

Please spread the word!

Holly Cheever, DVM

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