

# HANDLING ANIMAL COLLECTORS, PART 2: MANAGING A LARGE-SCALE ANIMAL RESCUE OPERATION

By Geoffrey L. Handy

*This article is the second in a two-part series on handling animal collector cases.*

When officers for the Brazos Animal Shelter and Humane Society/SPCA (P.O. Box 4191, Bryan, TX 77805) first received complaints about a large number of animals being kept in poor conditions last summer, they weren't entirely prepared for what would come next. Soon, however, those officers and a slew of people assisting them were hard at work rescuing 438 animals confined in filth by their keeper.

Dogs and cats seemingly did not appeal to this animal collector. Instead, his menagerie included 117 rats, 57 gerbils, 49 mice, 39 chickens, 23 hamsters, 17 squirrels, 9 opossums, a European hedgehog, and more than 100 birds ranging from finches to small quail. By the time the shelter had wrapped up the case, it had received assistance from nearby humane societies, several exotic-animal veterinarians, the local game warden and health department inspector, city attorneys, a U.S. Army Medical Center, the Texas A&M Veterinary Medical Center, Ryder Truck Rental, numerous other agencies and businesses, and a host of volunteers.

"We went in thinking there were maybe a hundred animals," says Kathy Bice, executive director for the agency. "When we took an inventory and realized that we had not a hundred, but over 400 animals, the adrenaline started rushing. That day was a 14-hour day, and so were the next three."

## Managing the Crisis

For staff and volunteers of animal care and control agencies, the rescue operation is the most intense and emo-



*Torn Price/Free Lance-Star*

*Stafford County (VA) Animal Control Officer Cliff Cusick heads for his vehicle with two cages of cats rescued from the home of an animal collector.*

tional part of any animal collector case. Achieving a long-term solution to the case is the ultimate goal, but alleviating the suffering of the animals at hand becomes the immediate focus.

"Large-scale rescue operations invariably force shelters into crisis mode," says Samantha Mullen, public affairs and programs administrator for the New York State Humane Association (NYSHA, P.O. Box 284, New Paltz, NY 12561). "There is just so much that needs to be done."

Not only must humane agencies assemble their own teams of staff and volunteers, but they must also call

around for help from veterinarians, local businesses, and other humane groups. Not only must they coordinate the removal of scores of animals, but they must simultaneously document the cruelty and neglect. Not only must they spend time and money gathering everything from extra carrying crates to surgical masks, but they must also figure out ways to defray the costs of caring for multiple animals. And not only must they work to educate judges and prosecutors about what interventions are necessary, but they must also strive to educate an often fickle media and public that the collector is anything but an animal savior.

This crisis mode is especially acute when the sheer number of animals pushes the agency to its limit. "Agencies that find themselves overwhelmed in a big case or other demanding situation often do not have the time to call around for help," says Mike Oswald, former director of Multnomah County Animal Control (2115 S.E. Morrison, Portland, OR 97214). "All of their time is committed to managing the crisis."

Oswald urges shelters in nearby areas to "put themselves in the shoes of the agency suffering through the crisis." Indeed, a support network of agencies is crucial for handling any large-scale case or disaster involving animals. In many states, humane federations can serve as networking organizations for local agencies in need.

Belinda Lewis, director of animal control for Fort Wayne, Indiana (2225 Dwenger Ave., Fort Wayne, IN 46803), offers this caveat, however: "The lead agency should be careful to maintain control of the case: It is their case, and they're responsible for not only accurately documenting the conditions of the animals but also making sure other agencies know where their roles begin and end." One helpful tool

## EQUIPMENT AND SUPPLIES LIST FOR ANIMAL RESCUE OPERATIONS

### SUPPLIES

- Pocket tape recorder and extra tapes
- Collars that can be written on (to record ID numbers and sexes of animals), preferably cardboard encased in plastic (sturdier collars and tags must be applied later)
- Leashes
- Muzzles
- Catch poles
- Gurneys
- Scale
- Gloves (both rubber and bite-prevention)
- Flashlights
- Folding tables (for veterinary exams)
- Airline carriers (or other strong but lightweight cages for transporting animals)
- Resealable bags for gathering evidence (food samples, etc.)
- Emergency medical supplies (from veterinarians)
- First-aid kit for humans
- Surgical/dust masks
- Tubes of mentholated ointment, extract of clove, or extract of spearmint (which can be applied to rescuers' surgical masks or around their nostrils to make strong odors less bothersome)
- Body bags for dead animals found on-site or for those who may have to be euthanized on-site
- Plain, carbon, and lined paper
- Clip boards (and plastic coverings in case of rain)
- Large supply of pens and thick felt-tip markers
- Adhesive tape to use for labeling evidence, marking on carriers, etc. Camcorder, Polaroid™ camera, 35mm camera, and film (200 speed works well for 35 mm)
- Portable lights
- Back-up camera lights, batteries

*Continued in third column*

for establishing agency responsibilities is a written agreement. (See page 11 for a sample contract developed by NYSHA.)

### Be Prepared

Even with the cooperation of nearby facilities, shelters may still lack the space to house all rescued animals. "While obstacles like lack of space are some of the toughest to overcome, no humane law enforcement agency can let animals languish in bad conditions because they feel they don't have the space or don't have other necessary resources," says Sally Fekety, associate for animal care and control for The HSUS.

That means finding creative solutions to problems. For one case involving more than 200 cats, Fekety remembers driving nearly two hours to a cat fanciers' show to purchase, at a discount, 50 cages from an equipment supplier exhibiting at the show. The shelter she worked for at the time, the Humane Society of Huron Valley in Ann Arbor, Michigan, set up cage banks in the basement of a small house the shelter had previously used for storage. The basement even included a treatment area. "The case cost our shelter a lot of money, although by the end of it we had received quite a few donations and some new members," says Fekety. "But thanks to the cooperation of staff, volunteers, and veterinarians, we managed to handle the case and care for the animals quite well."

Ensuring adequate space and care arrangements is just one of a host of vital preparatory tasks. "Have you appointed a reliable media spokesperson?" says Lewis. "Do you have facilities designated for large, aggressive animals? Do you have the facilities and supplies for the euthanasia of many animals with sodium pentobarbital? And, assuming you will be performing a large number of euthanasias, have

### FORMS AND OTHER ESSENTIALS

- Search warrant or other form authorizing your presence on the property of the person being charged
- ID badges, especially for non-uniformed rescue workers
- Lined pad (or prepared form) for ID listing. Information recorded for each animal should include medical condition, brief description, ID number assigned at time of rescue, and destination (for those situations where many animals are being sent to various shelters or other holding facilities until a legal determination about the animals can be made).
- Agreement form for those responsible for foster care
- Veterinarian evaluation form to record each animal's condition
- Euthanasia authorizations
  - For veterinarian's signature
  - For animal owner's signature (for use in those rare cases in which owner voluntarily gives permission for euthanasia of some of his or her animals)
- List of important phone numbers ☐

you contacted the rendering company to come the day of the rescue?"

To that list of questions Mullen adds another: "Do you have enough cage and kennel space to ensure that unsterilized males and females are kept separated? I've seen too many shelters mix them up 'temporarily,' only to regret it later after the animals bred. Shelters must *never* allow animals in their care to mate."

Finally, there's the job of collecting all the needed equipment and supplies. "Everything should be double-checked in advance, from extra leashes to back-up camcorder batteries to a supply of medical evaluation forms for assisting vets," Mullen says.

### The Team Approach

Of course, adequate human resources are even more essential; it's



common for humane agencies to underestimate the number of staff and volunteers needed for particularly large rescues. And bringing diverse staff and volunteers together to make an effective rescue unit is always a challenge.

Most agencies succeed in improvising based on the circumstances of the case, the number of staff and volunteers available to help, and the types and conditions of the animals. The Loudoun County Department of Animal Care and Control (Route 1, Box 985, Waterford, VA 22190) did just that when it rescued 317 neglected sheep from a local farm.

"We had a number of specialized volunteers helping," said Animal Care and Control Administrator Barbara Cassidy. "We had several people on horseback rounding up the animals on site, we rented livestock haulers to transport the sheep back to the shelter, and we got a friend to bring in her trained sheepdogs to herd the animals into one confined area on the shelter property."

At the shelter, Cassidy and her staff set up a triage operation. One person would straddle and restrain the animal and then administer an oral dosage of worming medication. Another would examine the animal's hooves and apply nontoxic spray paint to the rump of the animal; the color of the spray paint indicated both the animal's sex and whether or not the animal needed additional hoofwork or other veterinary intervention.

Several years ago, NYSHA and the Ulster County (NY) SPCA, in consultation with the American SPCA in New York City, devised a systematic way to conduct multiple-animal rescues using teams of staff and volunteers. Here's how it works:

Before traveling to the rescue site, a coordinator from the lead agency briefs

all staff and volunteers about the case, appropriate behavior, and other matters such as who the designated press contact is. He or she then assembles several teams of five persons each. Each team consists of a team leader, a veterinarian, a photographer, a recorder, and an animal handler. (The number of teams depends primarily on two factors: the number of animals and the number of veterinarians available.) In addition to the teams, several experienced animal handlers are designated as "runners"—those who catch animals and bring them to the teams.

The team leader, usually a shelter staffer, advises team members about individual responsibilities. He or she also records the name, address, telephone number, and organization of each team member; not only is this information essential for case records (and may even be required by local police), but it also makes it easier to send out thank-you notes after the rescue. Each team member is also given a stick-on identification badge.

Once allowed on the property by authorities, teams set up work stations. Then, a "runner" catches each animal and brings him or her to the animal handler for one of the teams. The team handler restrains the animal while the other team members perform their roles, and (under veterinary supervision) provides the animal with water and/or other sustenance. The team recorder writes down information about the animal, including the animal's assigned identification number, a description of the animal, and the animal's eventual disposition. The team photographer takes a picture of the animal. The team veterinarian examines the animal and completes an evaluation form (for sample, see page 10). The animal is then either taken to a special area designated for on-site



Sylvia Sterling

*Before: Staff and volunteers participating in a large-scale rescue in New York are briefed by NYSHA's Samantha Mullen (standing in center of circle) at a police station before being divided into teams and traveling to the rescue site.*



Sylvia Sterling

*During: At the site, team veterinarian Holly Cheever (upper left) examines a dog held by her team's handler and dictates information to the team's recorder while another team member prepares for the next animal.*



Sondra Woodvine/UCSPCA/NYSHA

*After: At the facility, NYSHA's Patricia Valusek and Mullen record dog identification numbers.*

euthanasia, or provided an identification collar and put in a carrier for transport.

### Documenting Cruelty

Although attending to the animals' suffering must be the top priority, investigators should be careful to accurately document the cruelty and neglect with both video and still photography. Mullen offers the following tips:

- On a large index card or plain sheet of paper, write the identification number assigned to the animal, sex of the animal, and date in large, broad strokes using a thick, felt-tip marker.
- Have someone hold the identification card very close to the animal being photographed so that the card appears in the photo.
- Have the photographer stand only about four to five feet away.
- If possible, position animals so that special markings or wounds and other signs of debility will be visible in photographs.
- Take close-ups of overgrown nails, wounds, or other signs of neglect, being careful to include the index card with identifying information in each photo. To demonstrate that close-up photographs are of the same animal, take a short series of photos, gradually increasing the degree of close-up with each one.
- Take two still photos of each animal, one using a 35 mm camera and one using a Polaroid™ camera.
- Try not to photograph consecutively two animals who appear very similar, to avoid possible confusion over whether the same animal was photographed twice.
- If animal handlers are included in any photos, remember that both attire and facial expressions are



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*Because photographs of smiling faces at cruelty sites can be misconstrued by judges and jurors, humane investigators must be careful to avoid taking such photos.*



Sondra Woodvine/UCSPCA/NYSHA

*Each photograph documenting cruelty to an animal should include the animal's assigned identification number.*

important:

- Uniforms or coveralls are best, although jeans and plain shirts are acceptable. Ragged clothing and T-shirts with artwork of dubious taste are not.
- Even during a rescue mission in a tragic animal abuse case, moments of levity will undoubtedly be shared by some of the rescuers

to break the tension. *Beware of recording such moments on film.*

A photograph of an apparently jovial person handling a suffering animal would send an extremely confusing message to the judge or jurors examining the evidence in a cruelty case. So too would "gallows humor" picked up by the sensitive microphone of a camcorder. Remember that *all* photographs, recordings, and other evidence gathered at the scene become part of the legal case against the defendant. This evidence is subject to scrutiny by defense attorneys.

### Who Pays the Costs?

After the animals have been photographed and removed from the abusive situation, they all too frequently remain in the humane agency's custody for a long period of time pending the outcome of the case.

Virtually every humane agency that investigates animal cruelty has been left holding the bill for long-term impoundment of animals. For multiple-animal cases, these bills frequently amount to tens of thousands of dollars. Even if a court rules that a multiple-animal owner pay restitution to the impounding agency, it's a rare case indeed in which the owner has any money to give.

Financial costs are just one drawback. Long-term impoundment is an especially cruel fate for animals who have already suffered through neglect. Vicky Crosetti, executive director of the Knox County Humane Society (P.O. Box 9479, Knoxville, TN 37940-0479), expresses a frustration familiar to many shelter personnel: "It's one thing to look at animals in the shelter for a short time," she said after caring for eight animals for more



than ten months. "But you get very attached to animals you hold for a long time, and you live with the knowledge that while they're much better off in the shelter than they were in the place you rescued them from, they're still in an abnormal situation. Where they really belong is in an adoptive home."

Because voluntary surrenders are rare, states and localities have struggled to devise effective ways to address the cost and stress issues. Tactics such as on-site impoundment and deferred prosecution can help, but they are not

always appropriate options.

To help protect shelters from the costs of care, many states prohibit rescued animals from being returned to their owners until the owners have reimbursed impounding agencies for the costs of the seizure and care. As long as the impounding officer follows prescribed rules for seizure, no conviction on animal cruelty charges is needed. If the owner does not pay within a certain period of time (e.g., ten days), then the humane agency takes ownership of the animals.

### Putting the Burden Where It Belongs

These laws help, but humane agencies can still end up in the proverbial poorhouse after animal collectors fail to pay required restitution. A recent legal innovation, however, can prevent these situations from developing in the first place. Enacted by at least two states (Minnesota and Missouri) and several localities, so-called "security bond" laws require the animals' owner to guarantee payment *up front* for the costs of long-term impoundment. If such payment is not guaranteed within

## REMOVING ANIMALS FROM COLLECTORS: LEGAL JUSTIFICATIONS AND PROCEDURAL CONSIDERATIONS

Whether animal collectors are criminally prosecuted or given other appropriate interventions, an investigator's first priority should be the removal of animals in danger from the collector's premises.

Occasionally, in cases where animals have been neglected but are not in a state of severe suffering and the collector is reasonably cooperative, a humane agency may keep the animals on the premises under the agency's supervision until the case is resolved. Sometimes, regardless of the conditions of the animals, on-site impoundment is dictated by the sheer number of animals on the property.

Typically, however, physical removal is the only appropriate action.

Investigators do occasionally succeed in persuading the collector to voluntarily sign over the animals, but they often rely on one of five legal justifications for removing them:

- *Animal cruelty laws.* State animal cruelty laws and local animal care and control ordinances are the usual justification for removing animals from collectors and otherwise resolving collector cases. By far the most common charge filed against collectors is cruelty to animals, but prosecutors often add charges such as failure to vaccinate animals and failure to provide necessary veterinary care.

- *Public health ordinances.* Collectors often live in violation of local health codes—from poor sanitary conditions to improper disposition of dead animals. Public health officials—and in some jurisdictions animal control authorities—can sometimes remove animals on the basis of violations of such codes.

- *Nuisance laws.* These laws protect neighbors and the public generally from persons who use their property in unreasonable, annoying, or injurious ways. A collector's operation will often create problems—such as noise, stench, or wandering animals—that affect neighbors' properties or a larger public interest. In such cases, the

neighbors or the municipal government, depending on the scope and scale of the impacts, can seek an injunction from a court to abate the nuisance. Removing excess animals from the collector's property can be part of the remedy petitioned for, if not the central remedy.

- *Animal limitation ordinances.* The typical animal limitation ordinance limits the number of dogs and cats people in the jurisdiction are allowed to keep. Exceptions are usually made for the operation of licensed kennels and catteries, which must meet specified standards to be licensed.

*Continued on next page*

a short period of time, the impounding agency can adopt out or euthanize animals at its discretion.

Security bond laws generally take the form of amendments to existing laws regarding the disposition of seized animals. Minnesota's law authorizes animals seized under warrant to be "humanely disposed of [i.e., adopted or euthanized] at the discretion of the jurisdiction having custody of the animal seven days after the animal was taken into custody." Such disposition may be prevented by the animals' own-

ers *only* if they post "a bond or security in an amount sufficient to provide for the animals' care and keeping for at least 30 days." The bond is renewable in 30-day increments. Even in cases where a court order prohibits disposition of animals (e.g., for evidence), that order must provide for a bond or other security in the amount necessary to protect the sheltering facility from incurring costs.

"One county [in Minnesota] spent over \$13,000 on horses who were unsound in every way," says Shirley Taggart, president of the Minnesota Federated Humane Societies (810 N. Lilac Dr., Ste. 206, Golden Valley, MN 55422). "The security bond law puts the responsibility for the costs of

*Continued from previous page*

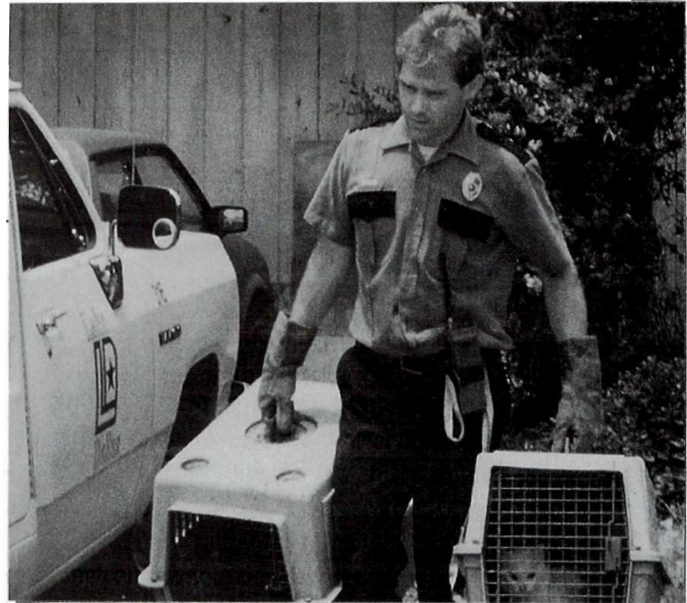
- **Zoning ordinances.** These ordinances typically regulate everything within prescribed community "zones," from the types of buildings allowed to the height of street signs. Enterprising investigators have successfully rescued animals from collectors by persuading zoning commissions or other applicable agencies to enforce zoning ordinances that prohibit the operation of kennels or catteries.

Each of these five legal justifications comes with its own procedural requirements, which vary from state to state and locality to locality. Common procedures for removing animals include:

- **Obtaining a warrant for search and seizure.** In what is by far the most common process used to remove animals, the humane law enforcement agency secures a warrant from a court in advance of the rescue. Fort Wayne's Belinda Lewis offers this caveat, however: "If a humane law enforcement agency secures a warrant, it doesn't necessarily mean that

it has the authority to serve that warrant. It may need to call in a police agency to assist in serving the warrant." Humane agencies, of course, must always be aware of the scope and limits of their enforcement authority, and they may find police support helpful for particular cases even when they themselves do have enforcement authority.

- **Removing animals based on exigent circumstances.** Exigent circumstances are those with such dire, immediate, and obvious consequences (e.g., an animal on the brink of death) that a court does not require a warrant in advance of the seizure (but requires a hearing after the seizure). Because such removals run the risk of violating constitutional protections, agencies must be particularly careful when



Mark Brightenburg/Lake Cities Sun

***Armed with a warrant, Lake Dallas (TX) Animal Control Officer Steve Dickens removes cats from the home of an animal collector in a case handled by the city last year.***

removing animals without a warrant.

- **Removing animals under an order from another authority.** In some jurisdictions, police or health departments can order humane agencies to remove animals for violations of public health and nuisance laws.

**Because state and local laws vary significantly with regard to both substance and procedure, humane agencies must work closely with local judges, prosecutors, or other attorneys in pursuing legal remedies.** □

caring for such animals back on the owner where it belongs.”

According to Taggart, the Minnesota state legislature passed the law in 1991 after a rash of multiple-animal abuse cases siphoned off already-scarce county funds; the legislation had the backing of the state sheriffs’ and county attorneys’ associations.

Indeed, costly collector cases seem to be the best impetus for the enactment of such laws: The Loudoun County, Virginia, legislature passed its version of a security bond law after two collector cases drained more than \$135,000 from county coffers. (Nonprofit humane agencies that are reimbursed by city or county governments for animal-impoundment costs may wish to suggest such laws to local officials as well.)

Loudoun County’s version of the law includes a special wrinkle. Under Virginia law, animal owners who neglect their animals can be charged under a special “unfit owner” clause, and the case must be heard within ten days. Loudoun County requires that the owner post a security bond within ten days as well. Thus, “unfit owner” cases—which frequently apply to col-

lectors—are heard *before* the owner is forced to post a bond.

That’s what happened in the case involving the 317 sheep. “When the animals’ owner saw that he would have to post the bond if he appealed the case, he signed them over to us immediately,” says Barbara Cassidy. “The security bond law is a total deterrent to

frivolous appeals.” According to Taggart, the Minnesota law has been applied four times and no one has yet posted the security bond; instead, each owner has relinquished the animals to the humane law enforcement agency involved.

(For details on the security bond law passed by Loudoun County, Vir-

## SAMPLE AGREEMENTS FOR SURRENDERING ANIMALS TO HUMANE AGENCY AND AUTHORIZING EUTHANASIA

*Although agreements such as the two that follow are not likely to be accepted by the defendant, it is very worthwhile to propose them before animals are seized or euthanized. They spell out certain bargaining terms and help make clear to the judge, the defendant’s lawyer, and other relevant parties that the humane agency is seeking a reasonable as well as humane solution. Note: Animal owners must never be made to sign agreements like the following under duress, even though the forms may indicate that the signee has not been coerced; some individuals have brought successful suits against humane agencies by claiming that they were coerced into surrendering animals.*

**AGREEMENT FOR SURRENDERING ANIMALS TO HUMANE AGENCY**

I, \_\_\_\_\_, of [city], [state], relinquish the following animals to  
 [insert name of one or more duly incorporated humane agencies]:  
 [list categories and identification numbers of animals to be relinquished with  
 brief descriptions]

I understand that [name of agency] will make an effort to find suitable homes  
 for my [list all applicable species] following its normal adoption procedures,  
 with certain exceptions, e.g., those that must be euthanized upon recommendation  
 of a licensed veterinarian. I hereby give up all right, title, and interest to  
 the above-referenced animals voluntarily and without coercion or threats of any  
 kind.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**AGREEMENT FOR AUTHORIZING EUTHANASIA**

I, \_\_\_\_\_, of [city], [state], authorize the euthanasia, by a  
 veterinarian licensed in the state of \_\_\_\_\_, of any of my [list all ap-  
 plicable species] that test positive for [list heartworm, feline leukemia, or  
 other applicable affliction(s)], or that, in the professional opinion of a vet-  
 erinarian, are so maimed, diseased, or debilitated as to require euthanasia to be  
 spared undue suffering. I will hold harmless the veterinarian, law enforcement  
 agency, and humane organization that causes my [list all applicable species] to  
 be humanely destroyed.

Signature \_\_\_\_\_ Date \_\_\_\_\_

The forms and contracts that appear on this and the following two pages have been adapted from the New York State Humane Association (NYSHA). Because state and local laws vary significantly and play a crucial role in the enforceability of contracts, humane agencies must work closely with their legal counsel or other local attorneys when adapting these agreements for their use. In addition, these forms should be ready for use well before they may be needed. ☐



ginia, see the August 1993 issue of *Shelter Sense*.)

### Other Strategies

Absent security bond laws, humane agencies can pursue several other, albeit less effective, ways to either reduce costs or bring in extra funds. They include:

- Persuading prosecuting attorneys to file motions for expedited proceedings—especially in cases where the animal owner appeals a conviction;
- Persuading the court to allow the humane agency to foster the animals, under written contracts with select foster caregivers, until permanent resolution of the case;
- Persuading local veterinarians, businesses, and nearby humane agencies to donate expertise, equipment, and/or human resources; and
- Appealing for donations through the media.

### Handling Adoptions

Another significant challenge occurs after the shelter secures legal ownership of the animals: placing the animals. Because of publicity, collector cases and puppy mill busts inevitably capture the interest of the public, many of whom transform that interest into a desire to own one of the rescued animals.

As a way to recoup some of the costs of handling the cases, a few shelters have conducted animal auctions, in which animals are literally sold to the highest bidder. Government-run shelters facing funding deficits, in fact, are sometimes instructed to hold such auctions. But, says Ken White, HSUS Vice President for Companion Animals and Field Services, "Auctions do nothing to guarantee the appropriateness of the new owner. Auctions and adoption guidelines simply do not mix."

A close cousin to the auction is the



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*Long-term impoundment takes its toll not only on the shelter's budget, but on the animals themselves; they belong in adoptive homes.*

controlled "sale," a silent auction in which potential adopters are screened after the bidding process takes place. If a bidder does not meet specified guidelines, then the next highest bidder is considered, and so on down the line. These, too, are often ordered by courts as a way to recoup costs. And they offer their own challenges—especially the necessity of telling potential adopters that their bid may be rejected.

Because of the problems associated with auctions and controlled sales, shelters must strive to convince judges to allow them to place animals through normal adoption procedures. "The last

## SAMPLE ANIMAL EVALUATION FORM

*Sufficient copies of a form such as this one should be given to each veterinarian assisting on a case. It spares veterinarians the trouble of devising their own forms and provides the humane agency with a standardized record-keeping format effective for court-related purposes. The form can be filled out by someone taking dictation from the veterinarian (although the veterinarian, of course, must sign the form).*

ANIMAL EVALUATION FORM (WITH RECOMMENDATION FOR EUTHANASIA)

Animal found on the premises of (name), (city), (county), (state):

ID# \_\_\_\_\_ Species \_\_\_\_\_ Breed \_\_\_\_\_ Sex \_\_\_\_\_ Weight \_\_\_\_\_

Approx. age \_\_\_\_\_ Description (color, markings) \_\_\_\_\_

I, \_\_\_\_\_, am a veterinarian licensed in the state of \_\_\_\_\_  
or agencies) to evaluate the above-identified animal.

I hereby certify that this animal exhibits the following symptoms:

_____ extreme emaciation	_____ dehydration
_____ excessive hair loss	_____ multiple bite wounds
_____ dermatitis	_____ heartworm
_____ severe itching	_____ respiratory infection
_____ mange	_____ generalized debility

Other (e.g., other afflictions, observations of behavior, etc.): \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Kept on premises \_\_\_\_\_ Date \_\_\_\_\_

Relocated to \_\_\_\_\_

Statement to be signed by veterinarian if humane destruction of animal is to be performed:

I hereby certify that this animal is so maimed, diseased, disabled, or infirm as to require euthanasia to be spared undue suffering. Euthanasia is appropriate for this animal, whose symptoms are as described above.

Signature \_\_\_\_\_ Date \_\_\_\_\_



thing shelters want to do is put animals who have already been abused into another bad situation," says White.

Adoptions are generally conducted after the shelter takes legal custody of the animals. Some shelters, however, offer adoption "holds," where animals are selected by adopters but held by the shelter prior to the conclusion of the case; the adoptions are conditional on the shelter gaining legal custody of the animals.

For cases involving an extremely large number of animals or particularly heavy media coverage, some shelters have run so-called "lotteries" as a way to make the adoption process run smoothly. Lotteries are used strictly as a traffic-management tool: Instead of having shelter staff face hundreds of potential applicants all clamoring to adopt at the same time, the shelter issues a press release describing the lottery. Those interested in adopting are put into the proverbial hat and chosen at random. Then, the "winners" are given scheduled times to visit the shelter and look over the animals. The shelter is closed to the rest of the public during those times, and animals up for adoption who are not part of the case are made available as well.

While the term "lottery" connotes no adoption screening, responsible shelters apply normal adoption standards to lottery winners, moving on to the next name on the list of lottery winners when an adoption is denied. Those not chosen in the lottery are urged to visit the shelter in the future to adopt a companion.

Regardless of whether adoption priority is determined by random drawing or on the more usual first-come, first-served basis, adopters should always be specially educated about the particular needs of abused or neglected animals, from behavior problems to eating disorders. (See

the sidebar on page 12 for information about obtaining a packet of information that includes a fact sheet on adopting abused animals.)

### Educating the Media

Publicizing special adoption procedures is one of the easiest ways to work with the media on an animal collector case. Much more difficult is educating the media to portray collectors not as caring animal "saviors" but as people who, for reasons that may or may not be worthy of compassion, cause suffering for tens or even hundreds of animals.

"Collectors present an incongruity

that is difficult for the public to accept," says Mullen. "The public often sees issues in black and white: people either intentionally abuse animals or they don't. When presented with an image of a collector who is obviously devoted to animals, the public wants to believe that the charges against that individual are false. It's so hard to convey that someone who professes to love animals is actually causing them to suffer horribly."

The fact that some collectors can be quite sophisticated makes educating the public even more difficult. One collector in the Northeast recently

## SAMPLE AGREEMENT FOR HOLDING ANIMALS

*An agreement such as this one will help cooperating agencies understand the extent and limits of their responsibilities. It should be filled out in duplicate; one copy should be given to the person/organization taking custody of the animal(s), and the original should be retained by the agency organizing the rescue.*

AGREEMENT BETWEEN LEAD ORGANIZATION AND ASSISTING ORGANIZATION PROVIDING FOR CARE OF ANIMALS SEIZED AS EVIDENCE IN A CRUELTY CASE

Assisting Organization: \_\_\_\_\_ (the "Lead Organization") and \_\_\_\_\_ (the "Assisting Organization"), in consideration of the promises made herein agree as follows:

1. The animals identified in Paragraph 2 have been seized pursuant to a court-ordered inspection of the premises of \_\_\_\_\_ located at \_\_\_\_\_ case pending in the (city/county) of \_\_\_\_\_ and will be held as evidence in a criminal court case referred to in Paragraph 1, board, housing, and routine veterinary care at the Assisting Organization's expense for \_\_\_\_\_ animals, identified by the following numbers: \_\_\_\_\_
2. The Assisting Organization shall ensure that the above-identified animals are so housed that no breeding takes place and risk of injury to the animals is minimized. Males and females must be housed separately, and any animals that are incompatible with others must be housed singly.
3. The Assisting Organization shall assume all liability for property damage or personal injury caused by any animal identified in this agreement. The Assisting Organization shall indemnify, defend, and hold the Lead Organization, its officers, and employees harmless from and against any and all claims and liabilities arising out of any claims or suits, or threats of suits, which may be brought or made against the Lead Organization arising from damage or injury caused by any animal identified in this agreement.
4. The Assisting Organization further agrees to abide by any court order providing for the ultimate disposition of the animals. The Assisting Organization acknowledges that such a court order will likely either:
  - (1) allow the Assisting Organization to adopt out, or, as appropriate, euthanize the animals; or
  - (2) require the Assisting Organization to return the animals to the defendant.
5. In the event that the Assisting Organization is permitted to adopt out the animals, it shall sterilize the animals prior to adoption. If sterilization of the animals is not financially feasible for the Assisting Organization, it shall notify the Lead Organization of its need for financial assistance.
6. In the event the Assisting Organization notifies the Lead Organization of its need for financial assistance, the Lead Organization agrees to help locate sources of funding to defray reasonable costs of spaying and neutering animals seized in connection with this case.

For the Lead Organization:

signed \_\_\_\_\_ / \_\_\_\_\_  
 title \_\_\_\_\_ date \_\_\_\_\_  
 address \_\_\_\_\_

For the Assisting Organization:

signed \_\_\_\_\_ / \_\_\_\_\_  
 title \_\_\_\_\_ date \_\_\_\_\_  
 address \_\_\_\_\_



Mitch Wojnarowicz

*Images of animal collectors—like this photograph published in an Upstate New York newspaper—frequently contribute to public confusion over collectors, who profess to love animals even as they cause them to suffer.*

sent a well-written press release to local media to counter the facts presented by humane agencies.

Many humane agencies are already painfully aware of the consequences of the media's portrayal of collectors as people wrongly accused of animal cruelty by officials with "ridiculously high standards." Angry attacks on the agency are the all-too-common result.

Animal care and control agencies must strive to educate the media about the animals' actual conditions. More importantly, they must supply the media with information about animal collectors and their psychology, so that the media can report on cases accurately to help the public understand the phenomenon. "It's usually helpful for the agency to assign one reliable person to handle media inquiries about collector cases," says Mullen.

"I actually invited a reporter I'd worked with previously to accompany me in my truck during visits to several collectors," says Timothy Clements, chief cruelty investigator for the Michigan Humane Society in Detroit. The result was an extremely enlight-

ened article that appeared in the *Detroit Free Press*.

To avoid countersuits for defamation of character, agencies should always consult with prosecuting attorneys and their own legal counsel when making statements or releasing information about pending cruelty cases.

#### Ending the Suffering

From working with the media to gathering all the right equipment, the challenges of a large-scale rescue operation are indeed enormous. But humane agencies must never lose sight of their responsibility to end the suffering of the animal victims.

"That means doing whatever it takes," says Mullen. "These cases have a way of taxing shelters' abilities and resources, but there is a silver lining. Not only can they bring the satisfaction of having rescued animals from an intolerable situation, but they can ultimately result in greater public support for the shelter."

"These are the cases we talk about, even have nightmares about, for years," says White. "Shelter personnel and

## NYSHA OFFERS PACKET OF INFORMATION ABOUT ANIMAL COLLECTORS

The New York State Humane Association (NYSHA) has compiled a packet of information about animal collectors that can be useful for local humane agencies that handle such cases. The packet includes:

- A general fact sheet on animal collectors;
- Newspaper and magazine articles ideal for use by local humane agencies to educate the media about animal collectors;
- A fact sheet drafted by Patricia Valusek, vice president of NYSHA, for adopters of rehabilitated animals entitled, "Adopting an Abused Animal—What You Should Know."
- Sample forms and agreements appropriate for collector cases (including those reprinted as part of this article).

To receive the packet, please send \$2 for photocopying and postage to the Companion Animals section, Dept. AC, The HSUS, 2100 L St., NW, Washington, DC 20037, before December 31, 1994. ☐

volunteers will always have memories of what they saw and smelled and felt. These are the memories which assault the senses, sometimes years after the event. But these are also the memories we hold on to in recognition of our own hard work done under seemingly impossible conditions. These are memories we can and should be proud of." ☐