



The Cat Fanciers' Association, Inc.

"World's Largest Registry of Pedigreed Cats"

What would you do if an animal control official appeared at your doorstep and asked to enter your home?

How to Fight Back

Some cat fanciers in recent years have faced the unthinkable – a knock at their door that has heralded the arrival of an Animal Control officer. In some cases that visit has been concluded satisfactorily to both the fancier and the officer; in others it has meant the heartache of either placing out cats or facing stiff fines. With animal ownership laws undergoing changes throughout the country, and with these laws being used by both animal rights extremists and others as a means of harassment, the possibility of that visit from Animal Control becomes ever more of a specter to haunt every fancier.

Laws that limit the number of animals allowed in a household were intended to make it easier to prosecute individuals who were thought to have "too many," according to an arbitrary standard, but are also applied even to those people who are not in violation of health, nuisance and humane laws. These "numbers limits" laws are now being joined by various other restrictive laws, such as breeder permits, cat licensing requirements and others that can threaten responsible fanciers whose cats are well cared for and kept confined to their homes. CFA is actively opposing restrictive legislation limiting the responsible breeding and ownership of cats, but some laws have made their way onto the books.

It is important to promote the cat fancy. There is value to society in the historic preservation of pedigreed cat breeds and in the selective, planned breeding for desirable and predictable traits. Claims that the organized cat fancy contributes to the problem of homeless cats in shelters cannot be supported by any evidence. **Above all else, cat fanciers must become aware of the laws in their own locale, and must also be aware of their rights if faced with that visit from Animal Control.** The following article was first published in 1992, and is, if anything, even more important today.

I. STOP APOLOGIZING!

A. Be proud of what you do.

1. Breed preservation is a worthy goal.
2. Sound, healthy, predictable animals make joyful, lifelong pets.
3. Our animals are less likely to be abandoned or recycled than animals obtained from other sources.

B. Pedigreed animals are NOT displacing shelter animals from potential homes.

C. Genetic defects are caused by accidents of nature, not by breeders. Even in humans there are thousands of genetic diseases.

D. We are part of the solution to the unwanted animal problem.

II. TAKE PRECAUTIONARY MEASURES!

A. You cannot be an effective fighter if you are perceived as a poor animal husbandry practitioner. Examine your home/cattery objectively and take corrective action if necessary.

B. Be cautious in advertising; consider using a P.O. Box.

C. Screen phone calls. Local enforcement officials sometimes make phone inquiries concerning the number

of cats owned and whether any cats or kittens are for sale. Under no circumstances should you volunteer information or admit any action which may be in violation of the ordinances over the telephone.

1. Ask, "Are you interested in a kitten?" If the answer is yes, obtain name, address and phone number then say that you or another responsible breeder will contact that person at a more convenient time to give them more information.
2. If asked about price, simply say that kittens (or cats) of this type are being sold for between X dollars and Y dollars in this area. Never say that you are selling them.
3. If asked if these are your kittens/cats, your answer should be "Why do you want to know?"
4. If the conversation indicates that the person is representing an official agency, ask the caller for: Full name, title, phone number; Supervisor's full name, phone number; Agency name and address; Nature of inquiry; Why inquiry is being made; How your name and phone number was obtained.

D. Be cautious when others come to your home; consider this may be someone casing your home looking for limit or breeding violations.

E. Provide honest disclosures regarding potential health or hereditary problems which may be consistent with your breed.

F. Keep accurate records of all transactions.

III. DON'T BE INTIMIDATED by Animal Control – Remember, you must assert your rights to protect your rights!

A. You are not obligated to allow an animal control officer access into your home or yard unless, 1) you want to; 2) a properly executed search warrant is presented. Exceptions to this situation are: 1) In locations where certain permits, such as breeder or fancier permits or intact animal permits are required, application for that permit may involve giving up that right to privacy; 2) In some areas an "administrative warrant" can allow animal control access under some circumstances, usually with prior notice; and 3) If an animal control officer observes some condition from outside the home (i.e., he can see more animals through a door or window than a numbers limit allows) or if another type of law enforcement officer observes the violation when he is there on unrelated business; or 4) If someone else, such as a family member, child, roommate or pet sitter, has given consent for the animal control officer to come in.

B. Personal Investigation – If you are confronted with an official demanding to investigate your property, ADOA (the American Dog Owners' Association) offers the following advice:

"Ask for the following information:

- Full name, phone number?
- Supervisor's full name, phone number?
- Agency being represented?
- Badge number?
- Why he is there to see you?
- If there is any complaint involved?
- Name of complainant?
- Time and date complaint occurred?
- Nature and exact details of complaint?
- Is there a warrant for a search? If so, request a copy."
- Write down the answers to all of these questions as the conversation proceeds. A simple notebook will do the job. (An alternative might be to ask permission and tape record the exchange. Take photographs during any inspection.)
- Do not answer questions. Ask that all questions be sent or delivered in writing. Do not make untruthful statements. Avoid saying anything which might be construed as incriminating. Be polite, never threaten or use abusive language.
- If you feel that a search of your home or property will lead to threatened confiscation of an animal or a criminal complaint, you should refuse entry to your home unless the sheriff or police are present with a search warrant. If the official says that he can get that easily, then tell him to do so. Remain cool and polite. Avoid anger and violence. Call your attorney as soon as possible.

- If you are faced with a threatened seizure without court hearing or court order, call the police immediately. Obtain the names of all persons involved, including the police officers. This may prevent seizure. Please understand that seizure of property, without due process of law, is unconstitutional, and due process of law should include a court hearing in every action relating to such seizure. If the animal control officials or police seize an animal, they may not destroy or harm the animal in any way until a judge has ruled that you are in violation, and this can only occur after a full hearing.
- Call your attorney at the time of threatened seizure and ask him to help you. Do not answer any questions from the police without legal advice. Do not offer any explanations regardless of what they may be. Police and enforcement officials may misinterpret such explanations. Remember, everything you say can and will probably be used against you.
- Keep in mind that cooperation will not usually avoid prosecution. **DO NOT BE AFRAID** and remember you must assert your rights to protect them. If you are responsibly breeding and owning your animals and are not creating a nuisance or an unsafe situation for others, then you are conducting a wholesome activity in raising high-quality pets and hobby animals."

- C. Think ahead and have a realistic contingency plan.
- D. If the situation is serious, don't delay in getting competent legal counsel.
- E. If you are unjustly victimized, ask for help – attorney, media, clubs, registry, legislators, etc.

IV. GET INFORMED – STAY INFORMED!

- A. Read books and magazine articles regarding animal welfare and animal rights – understand the difference.
- B. Attend seminars and workshops.
- C. Tap into local, state and national organizations which are working to uncover the truth – National Pet Alliance, National Animal Interest Alliance, and any state or local alliance or coalition of dog, cat and other animal fanciers. Support these organizations; support with both your membership checks and your time, whether that time is spent helping stuff mailers or attending Council meetings or participating in a telephone tree. Become involved in CFA's Grass Roots Network and be a CFA Legislative Liaison.
- D. Attend Animal Rights rallies and pick up free literature in order to learn more about their beliefs.
- E. Study the issues and know the facts. Be prepared to provide documentation.
- F. Know that YOU are the animal husbandry experts.

V. GET INVOLVED – STAY INVOLVED!

- A. Learn who the players are.
 1. Animal Shelters, Humane Societies and Animal Control Agencies.
 2. Legislators
 3. Bureaucrats
 4. Special interest groups
- B. The very best method of having your finger on the pulse of ordinance activity in your local area is to volunteer to serve on your city or county's animal control/animal shelter advisory board. Ordinarily these boards meet only a few times a year, and all proposed animal ordinances are reviewed by them prior to being presented at Council.
- C. Learn how to lobby utilizing three methods: Letter writing, personal visits, and phone calls or fax.
 1. Be proactive rather than just reactive whenever possible.
 2. Be patient and politely persistent. Know that you will probably have to work through an aide or staff when making initial contacts with legislators.
 3. Look for innovative ways to meet your legislator face to face.
 4. Be brief and to the point.

5. Offer constructive solutions – it isn't enough to say something is a bad idea. But be careful what you ask for, you may get it!
6. Focus on humane or municipal fiscal impacts rather than on constitutional rights to counteract the perception that we are a profit motivated special interest group.

D. Help out in the way that suits you best.

1. Not everyone has to work in the public arena.
2. There is a great need for behind the scenes support.

E. Study what the opponent's arguments are and learn how to rebut them effectively.

F. Stay in for the long haul. This is only the beginning of what may be a long series of challenges to our right of ownership and humane use of animals.

G. Keep the faith and BELIEVE that ultimately truth and logic will prevail.

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Originally prepared for the Animal Legislation Workshop: Implications for Animal Fanciers

Sponsored by the National Pet Alliance (NPA)

(Partially funded by the CFA Legislative Fund)

Burlingame, CA, May 17, 1992

(Part of text from the American Dog Owners Association Incorporated "ADOA's How to Respond to Anti-Dog Enforcement – A Guide To Your Rights)

To correspond with the CFA Legislative Committee, please email Legislation@CFA.org