



## THE CAT FANCIERS' ASSOCIATION, INC.

World's Largest Registry of Pedigreed Cats

June 19, 2008

Senate Local Government Committee  
Senator Gloria Negrete McLeod, Chair  
Senator Dave Cox, Vice Chair  
Senator Tom Harman  
Senator Christine Kehoe  
Senator Michael Machado

Re: **AB 1634 amended June 18, 2008 OPPOSITION**

An act to amend Sections 30804.7 and 31751.7 of, and to add Sections 30804.8 and 31751.8 to, the Food and Agricultural Code, relating to animals.

Dear Senators;

I am writing on behalf of the Cat Fanciers' Association to oppose AB 1634 as amended on June 18<sup>th</sup>. I've asked Peter Detwiler to include our organization on the Committee's Bill Analysis opposition list.

This is an entirely NEW bill mandating sterilization of dogs and cats as punishment for multiple impounds. The bill also imposes additional fees and mandated sterilization based upon oral or written complaints. We are concerned about the lack of due process and the extreme negative consequences of such a law for pet owners and their animals.

The Cat Fanciers' Association (CFA) is a non-profit organization and the largest registry of pedigreed cats in the world. Our member cat clubs are active in California educating the public, providing support for feline health studies, disaster relief, feral cat programs, breed rescue and shelters. CFA's mission is to preserve and promote the pedigreed breeds of cats and to enhance the well-being of ALL cats.

### **Fines for impounded unaltered cats; spay or neuter on second impound:**

This law unfairly targets any owner who keeps an intact cat or dog for any reason. It is especially punitive to cat owners with cats valuable to a pedigreed cat breeding program. There are many reasons why a cat could be impounded by animal services such as fire, earthquake or other disasters. Cats can get loose from a carrier going to the veterinarian, escape from a hotel room or be inadvertently let outside by a careless cat sitter. Although by no means a usual occurrence, a cat could end up in a shelter more than once without reflecting owner irresponsibility. There is no due process in this bill, no procedure for an administrative hearing following a first or second impound of a cat. There is no exception for a cat that may be pregnant or have a medical condition making surgery risky. This provision means confiscating the reproductive value of a show/breeding cat.

The act would override laws in jurisdictions that do provide for fair treatment of cat owners through administrative hearings. We opposed this concept in 1998 when AB 1856 was authored by Assembly Member Edward Vincent and provisions were ultimately removed from the bill. We consider such an impoundment plan with no due process just as unfair today.

**Mandated sterilization of a cat who is the subject of a “COMPLAINT”:**

This provision sets up a dangerous atmosphere of vigilantism in every community in the State. We are concerned that disgruntled neighbors or radical animal activists may purposely take advantage of such a law. There is no stipulation of a time frame between verbal or written complaints made. A neighbor could complain about a cat’s “behavior” or an owner’s alleged violation of any animal related law and send another complaint an hour later – or three years later. It would be impossible to assure that the cat subject to a “complaint” was the same cat. There is no requirement of conviction for the alleged complaint. Approximately 87% to 92% of all owned cats are already sterilized per numerous studies. The concept of encouraging “complaints” that would subject cats to forced sterilization will seriously impact those individuals breeding pedigreed cats. It is possible this will affect those who are attempting to trap and neuter feral cats where “ownership” is not clearly defined.

Responding to every cat complaint is always expensive for animal services and would become an unnecessary burden on local government. We object to this punitive and impractical mandate that will only result in harassment.

**Animal data reporting as criteria for State mandated reimbursement:**

All of us want shelters to report data as good policy since this allows us to track information important to assessing progress in the sheltering of dogs and cats in California. However, making reporting a requirement for Hayden Shelter Bill reimbursements is problematic especially for cats. Although not required by the Department of Health Services Veterinary Public Health Shelter Data Reporting, shelters have included data on cats since 1995. We believe that most shelters want to report this data and those that are lax may not yet have full computer collection capability. One concern is that this data report requirement in order to receive Hayden reimbursement could lead to compromised reporting.

Finally, we fail to understand why an essentially NEW bill is presented at the very last minute when one year has gone by since the last AB 1634 hearing. This makes it impossible for adequate public input. Our organization’s Annual meeting will be held in Louisville next week meaning most cat fanciers extremely concerned with the implications of this bill will be out of town.

The punitive nature of this bill, imposition of additional penalties and forced sterilization and the concern for the integrity of shelter reported data are all good reasons for AB 1634 to be entirely rejected. by the Committee.

Sincerely:



Joan Miller  
CFA Legislative Coordinator

CC: Senate Local Government Committee members  
Pamela DelaBar, CFA President  
Allene Tartaglia, CFA Executive Director