

AN INTERNATIONAL ORGANIZATION DEDICATED TO PROTECTING THE RIGHTS OF ALL ANIMALS

PETA



March 18, 2015

The Honorable Terry Withrow, Chair
Members of the Stanislaus County Board of Supervisors

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Dear Mr. Chair and Members of the Board:

PETA is the world's largest animal rights organization, with more than 3 million members and supporters worldwide, including thousands in Stanislaus County. We are in receipt of a disturbing complaint from a Modesto citizen who reports that the Stanislaus Animal Services Agency (SASA) was recently involved in the possible illegal abandonment of an injured homeless cat whom the property owner had captured and taken to the SASA shelter. **We share the caller's concern about SASA's participation in the abandonment of this animal as well as other cats apparently "released" throughout the community. We respectfully urge you to intervene to ensure the legal and humane treatment of animals in the county's custody.**

In early March, an apparently abandoned cat strayed onto a Modesto citizen's property. The cat was frightened and in poor health. The citizen was able to capture the animal by hand (indicating that he or she was not feral but more than likely an abandoned, previously owned animal), after which our caller took the animal to the local taxpayer-funded animal shelter. Just days later, the cat was back at this citizen's property. At that time, according to this citizen, she observed that the cat's breathing was labored and shallow; he or she had a large, infected, apparently pus-filled wound on his back; and the animal had been "ear tipped" (a surgical cutting of the ear generally performed when feral cats are spayed or neutered).

The citizen tells us that she called the animal shelter and was told by a representative that what had happened to this cat was consistent with SASA policy. Please note that the citizen was not notified nor was her permission obtained before the cat was re-abandoned on her private property. The cat was evidently homeless, and no food, water, or shelter was available to the animal. Additionally, the citizen's own companion cat was attacked by this abandoned feline and required several hundred dollars' worth of veterinary treatment for an abscessed bite wound. The citizen understandably considered this cat a threat to the safety of her family and her personal property.

In a March 20, 2014, meeting agenda of the SASA, the agency claimed that "[w]e are not required, by law, to intake cats, so as strays enter the shelter they are, spayed or neutered and then the [Humane Society of Stanislaus County] returns the cats to the community. ... For those that do not want the cats back,

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they can request they be relocated and we will find another colony."¹ **This assertion that the agency is not required to handle cats is inaccurate, and its practice of apparently illegally abandoning cats in areas of the community with which the animals are not familiar demands immediate attention.**

Under California Penal Code § 597.1 and § 597f, peace officers, humane society officers, and animal-control officers are required to take possession of **any** stray, abandoned, or neglected animal and provide for the animal's care (emphasis added).² **There are no exemptions for cats.** Furthermore, releasing cats after taking possession of them constitutes abandonment. California Penal Code § 597s(a) provides, "Every person who willfully abandons any animal is guilty of a misdemeanor." There are no exemptions in this statute.

Cats left or released on roads and public or private property cannot be protected from intentional cruelty and are victims of abuse on a daily basis. PETA's files are bursting with reports of cats—including feral and stray ones—who have been purposely tortured, injured, and/or killed by people who consider them a nuisance. The SASA policy of abandoning animals leaves citizens with no legal alternative to remove cats whose presence they consider undesirable from their properties. When citizens—property owners and renters alike—are denied assistance with the removal of cats who are damaging their property and considered a nuisance, they often get frustrated and take matters into their own hands. Recent cases of cruelty to free-roaming cats reported by the news media in California include a cat who was found in Roseville hanging dead from a picket fence with a belt wrapped around her neck;³ a cat who was shot multiple times with a BB gun in Pleasant Hill;⁴ a cat who was found in Stockton with an arrow protruding from her head;⁵ and two cats found shot with arrows in Long Beach, both of whom were found alive but too injured to survive.⁶

Dumping homeless cats throughout the community is also a public health and safety concern. The Centers for Disease Control and Prevention reports that cats are the main domestic animal linked to human exposure to rabies. In August 2014, after a feral kitten tested positive for rabies, the San Joaquin County Public Health Department issued an advisory urging citizens to avoid stray, wild, or feral animals.⁷ In October 2014, two people in Amador County required treatment after a cat tested positive for rabies. The cat reportedly had been

¹Stanislaus Animal Services Agency Board Meeting Agenda, 20 March 2014

<<http://www.stanislausanimalservices.com/pdf/jpa/agenda/2014/jpa-meeting-agenda-03-20-2014.pdf>>.

²Penal Code Sections § 597.1 and § 597f

<<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=594-625c>>.

³Kay Recede, "Roseville Family Looks for Answers in Brutal Animal Cruelty Case," 18 October 2014, Fox40.com

<<http://fox40.com/2014/10/18/roseville-family-looks-for-answers-in-brutal-animal-cruelty-case/>>.

⁴ContraCostaTimes.com, "Pleasant Hill Police Report: Cat Shot Multiple Times With BB Gun," 2 September 2014

<http://www.contracostatimes.com/pleasant-hill/ci_26452678/pleasant-hill-police-report-cat-shot-multiple-times>.

⁵The Record, "Cat Shot With Arrow Needs Home," 23 May 2014, RecordNet.com

<http://www.recordnet.com/apps/pbcs.dll/article?AID=/20140523/A_NEWS/405230315>.

⁶Beatriz Valenzuela, "Cats Shot, Killed With Arrow in Long Beach," 27 February 2014, PressTelegram.com

<<http://www.presstelegram.com/general-news/20140227/cats-shot-killed-with-arrow-in-long-beach>>.

⁷The Record, "Feral Kitten Has Rabies," 21 August 2014, RecordNet.com

<<http://www.recordnet.com/article/20140821/News/140829793>>.

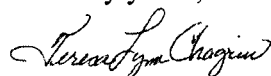
vaccinated with a 1-year vaccine two years before contracting the virus but had not been given the required booster to maintain protection.⁸

The National Association of State Public Health Veterinarians reports that "no evidence exists that maintained cat colonies adequately reduce human public health risks or appropriately address their impact on pets or native wildlife. Several reports suggest that support of 'managed cat colonies' may increase the public's likelihood of abandoning unwanted pets in lieu of more responsible options" and that "[s]tray dogs, cats, and ferrets should be removed from the community."⁹

It's also of serious consequence that roaming cats terrorize and kill countless birds and other wild prey animals who are not equipped to deal with such predators. A 2013 *New York Times* article reports that feral cats account for the majority of cat-caused wildlife deaths in the U.S., including an astounding "2.4 billion birds and 12.3 billion mammals a year, most of them native mammals like shrews, chipmunks and voles rather than introduced pests like the Norway rat."¹⁰ The president of the American Bird Conservancy stated that "cat predation is one of the reasons why one in three American birds species are in decline."¹¹ PETA is concerned about cats and wildlife alike, and we hope you will consider wild animals, too.

It is imperative that the SASA be directed to accept all unwanted animals and be advised that animal abandonment is a violation of law. If we can be of any assistance, I can be reached at 443-320-1277 or TeresaC@peta.org. Thank you for your attention to this urgent matter and for all your hard work for the citizens of Stanislaus County.

Sincerely yours,



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Cruelty Investigations Department

⁸KVGC HomeTown Register, "NewsBriefs — October 10, 2014" Ledger-Dispatch.com
<http://www.ledger-dispatch.com/news/newsbriefs-oct-10-2014>

⁹National Association of State Public Health Veterinarians, "Free-Roaming/Unowned/Feral Cats," Position Statement, September, 1996.

¹⁰Natalie Angier, "That Cuddly Kitty Is Deadlier Than You Think," *The New York Times*, 29 January 2013
<http://www.nytimes.com/2013/01/30/science/that-cuddly-kitty-of-yours-is-a-killer.html?_r=4&>.

¹¹Elizabeth Weise, "House Cats Kill More Critters Than Thought," *USA Today*, 7 August 2012
<<http://usatoday30.usatoday.com/news/nation/story/2012-08-06/house-cats-kill/56831262/1>>.