

Please **SUPPORT S. 237**, an Act Relating to Civil Forfeiture Proceedings in Cases of Animal Cruelty

Help Abused Pets, Animal Shelters, and Municipalities

In a recent legislative report from the **Vermont Commissioner of Public Safety**, it was found that, “some law enforcement agencies are responding to calls of animal complaints and incidents, while others, apparently, have little or no involvement with [animal cruelty].”

One of the greatest obstacles for Vermont law enforcement to enforce our state’s cruelty laws is that they must depend on private, non-profit shelters to care for seized animals until final disposition of a criminal case. Costs of long term care for these victims of abuse can easily cripple shelters with limited budgets and space. Municipalities forced to board seized animals face similar challenges.



The Commissioner of Public Safety concluded: “The costs of caring for animals that are seized...were noted as a point of concern. This was most especially noted from humane societies that often must assume the costs ...while awaiting a court hearing.”

This legislation will improve Vermont cruelty law so that dogs, cats, horses and other animals seized from cruel situations can be adopted as quickly as possible into loving homes. This change will encourage the enforcement of our state’s cruelty law, and save municipal and shelter resources, and animal lives.

Why does Vermont Need this Law Change?

Abused and neglected pets seized in animal cruelty cases often remain the “property” of the person criminally charged with harming them, regardless of the severity of the abuse. Even though they are no longer useful as evidence, the victims the animal cruelty laws were meant to protect often end up being held for months at tremendous cost to the animals, to municipalities, and to the shelters that depend on private donations.

Currently, we see the following issues with Vermont animal cruelty enforcement:

- Current law does not provide an effective legal process to prevent the needless and expensive long-term care of seized animals in private shelters.
- Long-term care in a shelter can be very detrimental for abused animals who need significant attention and medical care, often making adoption more difficult.
- Financially strapped shelters legally required to hold seized animals for a long period can be forced to turn away adoptable animals because of space limitations.
- The cost to municipalities with no local animal shelter can be significant, and may even act as a deterrent to ongoing investigation and seizure.
- Some law enforcement agencies in Vermont are often unable to enforce the state cruelty laws because there are no local resources to provide long-term care.

The Cost of Animal Cruelty

2013

- **The Addison County Humane Society** a seized dog that was held for 5-1/2 months at a cost of **\$1,500**. These costs would have doubled without the assistance of foster care givers; In another case, the shelter has been housing a cat for 3 months. The cost of care is currently at **\$1,925** and continues to grow.
- **The Chittenden County Humane Society** assisted with the seizure of 6 dogs and 2 chickens. The cost was **\$4,229**, including staff time, medical and material expenses.
- **The Rutland County Humane Society** assisted the Sheriffs Department with an animal hoarding case that resulted in the seizure of 55 cats which were held for 50 days at a cost of **\$11,718**, which included boarding, vet, lab & medication expense and euthanasia costs.
- **Spring Hill Horse Rescue** in Clarendon assisted with the seizure of 3 horses who were held for 9 months until the forfeiture hearing. Costs in this case were approximately **\$6,000**, which does not include staff or boarding costs borne by the rescue.

2012

- In the Northeast Kingdom 6 draft horses were seized by the Vermont State Police. **P.E.T.S. of the Kingdom** cared for the horses for more than 14 months, at a cost of more than **\$25,000** – an enormous amount for a small, all volunteer organization.
- **Riverside Rescue** in Essex County assisted with the seizure of 37 adult and newborn rabbits. Expense for the rabbits for four months was a total of **\$1,999**, including initial veterinary costs, cremation fees, boarding and spay/neuter to adopt out.
- **The Rutland County Humane Society** cared for 14 Samoyeds for 9 months. The cost for veterinary care was **\$2,000**, and boarding was **\$7,500** (costs would have easily topped \$38,000 if the owner hadn't permitted many to go to foster homes). Eve had 3 quills in her eye for at least several weeks before she arrived, and because the veterinarian wasn't confident that she could legally remove the eye until the court acted, she remained on pain meds and antibiotics during her entire stay. The defendant's lawyer used stall tactics to get a plea deal, in which the owner got 4 of her dogs back, including Eve. She finally had her eye removed as a condition of her return.

2011

- More than 60 Labrador dogs in Bakersfield were seized from a puppy mill by the Vermont State Police. **The Humane Society of the United States** took responsibility for the care of the animals for over 6 weeks in a temporary animal shelter while the civil forfeiture case was pending, at a cost of more than **\$60,000**.

2010

- The Bennington Police Department seized 80 cats from hoarders traveling with them in their vehicle. **The Second Chance Animal Center**, which held 27 of the cats, spent **\$1,609** for testing, vaccines, flea prevention and boarding. The Town of Bennington was billed over **\$5,400** for the other cats, which were housed at West Mountain Animal Hospital.

2008

- In Rutland County, 40 horses, 22 sheep & goats, and 1 cow were seized from 2 different locations and were held between 1 and 2 months. **Spring Hill Horse Rescue** spent approximately **\$40,000**, which included costs during seizure, feed and neutering expenses, and all medical expenses. This does not include any staff time or boarding costs borne by the shelter. The costs to the **Rutland County Humane Society** on this same case were over **\$8,000**.

2006

- **The Bennington Police Department** seized 32 German shepherds being held on a bus. The dogs were held for approximately 6 months and costs to the town were over **\$42,000**.

2005

- **The Windham County Humane Society** seized animals from an animal hoarder at a cost of approximately **\$58,000**. The animals were held for one year before the court allowed forfeiture, and the case nearly forced the shelter to close.

What does S. 237 do?

It will provide for a timely, more narrowly focused pre-conviction hearing after the seizure of animals in a cruelty case. The procedure protects defendants'/owners' rights while allowing the courts to decide the best and swiftest disposition of the abused animals.

Who supports S. 237?

The Vermont Department of Public Safety

The Vermont State's Attorneys' Victim Advocates

The Vermont Police Chiefs Association

The Vermont Sheriffs Association

The Vermont Veterinary Medical Association

The Vermont Humane Federation:

Addison County Humane Society

Middlebury

Central Vermont Humane Society

E. Montpelier

Franklin County Humane Society

St. Albans

Good Karma Rescue

Montpelier

Green Mountain Animal Defenders

Burlington

Humane Society of Chittenden County

So. Burlington

Lucy Mackenzie Humane Society

Brownsville

North Country Animal League

Morrisville

PETS of the Kingdom

Derby, VT

Springfield Humane Society

Springfield

Spring Hill Horse Rescue

N. Clarendon

Windham County Humane Society

Brattleboro

ASPCA

Burlington, VT

Humane Society of the U.S.

Jacksonville

Riverside Rescue

Lunenburg

Rutland County Humane Society

Pittsford

Second Chance Animal Center

Shaftsbury