

Comments on: S.123 An act relating to limiting liability for animal shelter and rescue organizations assisting law enforcement in animal cruelty investigations
To: VT House Judiciary Committee
By: Deborah Loring, Board President and Humane Officer, Spring Hill Horse Rescue
Date: April 18, 2018

Thank you for allowing me to submit written comments to the committee regarding S.123. At Spring Hill Horse Rescue, in our most active years, we handled approximately 50 complaints of animal cruelty annually. While the majority of these cases were resolved through working with owners, some required enforcement, which included seizure and/or surrender of animals and animal cruelty charges.

I was also the Systems Administrator of VT's online statewide animal cruelty reporting system for several years. As such, I helped to coordinate large scale animal seizures involving up to 100 animals (dogs, cats, horses, etc.) involving multiple agencies. Regardless of how a case starts, whether it is a complaint to a humane society or to police, when a humane society is asked to assist police in serving a warrant, we work for the police.

Two years ago, after many years of doing this work, and of having forged strong bonds and trust with law enforcement, our rescue lost both our liability and board of director's insurance, specifically because we took in animals seized and/or surrendered in animal cruelty

investigations, and because we acted as humane officers and assisted law enforcement in animal cruelty cases.

This work was the focus of our rescue, and we'd rescued and re-homed nearly 1,000 animals since the year 2000. We have never had a single accident, never been sued once by anyone, and never had a single insurance claim. In fact, we'd won a safety award from the insurance company every year for our good record. Despite going to many insurers, once we lost our insurance, we were unable to get re-insured.

Normally, we would provide humane officers, vets, animal handling at the scene, and transport. We would take care of evidence collection for law enforcement (photo documentation of conditions, veterinary reports from the scene, humane officer reports).

We would hold and rehabilitate animals at no cost to the state. If and when they were available for adoption, we would handle their adoptions. In cases where they weren't adoptable, the animals would have a permanent home at our farm. In fact, we still have 3 Arabian horses seized in Shelburne, VT in a case we worked in 2013; as they are not adoptable, and horses can live for over 30 years.

We do understand there is a certain amount of risk with this activity. By the time a cruelty case becomes an animal seizure, the condition of the majority of the animals is critical. You are caring for animals that are often within days or weeks of death. The vast majority survive, but sometimes they die or have to be euthanized, with the permission of

the state's attorney if you are holding them as state's evidence. It can also be dangerous work at the scene, because you are dealing with animals that may be sick, feral, and unhandled.

Further, owners are extremely emotional when they surrender their animals, or are seized. In animal hoarding cases, there is a nearly 100% recidivism rate. In most cases, people seem to have little awareness, regardless of the poor health of the animals, that they've done anything wrong. A significant portion of these people threaten to sue the humane society, and some do follow through.

Police, Town officials, and State officials have Qualified Immunity when working on animal cruelty cases, and the veterinarians are protected by statute. The humane societies and rescues are the only organizations involved in these cases that do not have some limitation of liability.

It is getting harder and harder for our organizations to participate and assist law enforcement in animal cruelty cases. Spring Hill Horse Rescue no longer provides these services at all, except in advisory capacity, or as individuals under the umbrella of another organization, as the risk is too great. We do still operate a 15-acre rescue farm, and we have a responsibility to the animals there; but our community work is very limited. This legislation would provide the protection required for organizations to pursue this critical work; yet it is reasonably still holds the rescue accountable for gross negligence, as is appropriate.

I would urge the committee to pass this relatively straightforward, but very important legislation. Thank you for your time.