



THE HUMANE SOCIETY
OF THE UNITED STATES

Testimony By: Barry Londeree
Presented To: Vermont House Committee on Judiciary
In Support Of: S. 123 - An act relating to limiting liability for animal shelter and rescue organizations assisting law enforcement in animal cruelty investigations
Date: February 9, 2018

Dear Chairman Sears and Honorable Committee Members,

My name is Barry Londeree. I am the Vermont State Director for The Humane Society of the United States (HSUS), and I appreciate the opportunity to submit testimony in support of S.123 on behalf of our Vermont members and supporters.

As introduced, S.123 would provide an animal shelter or rescue organization assisting law enforcement in an animal cruelty investigation or seizure that, in good faith, provides care and treatment to an animal involved in the investigation or seizure, liability protection from civil damages by the owner of the animal unless such care and treatment constitutes gross negligence. This legislation is supported by the HSUS and the Vermont Humane Federation because it would strengthen the ability of humane organizations to assist law enforcement with animal cruelty cases. In addition, the creation of liability protection is a recommendation of both the Vermont Animal Cruelty Response Task Force and the Vermont Animal Cruelty Investigations Advisory Board.

It is important to appreciate the critical role that private, non-profit animal shelters and rescue groups play in our state's enforcement of animal cruelty laws. Without their assistance investigating cases of alleged abuse, providing humane education, helping law enforcement execute search warrants and properly catalog evidence, and assuming responsibility for the care of surrendered or seized animals during legal proceedings, the enforcement of animal cruelty laws would not be possible.

These organizations take on significant risk when they assist with investigations and hold animals as "live evidence" for law enforcement. Although veterinarians who assist with animal cruelty investigations receive liability protection, humane organizations and their representatives currently do not. This can make these groups reluctant to assist with cruelty cases due to uncertainty about legal protections or concerns about coverage under private insurance policies.

The legislature has history of supporting important improvements in the way Vermont addresses cases of animal cruelty, most notably the enactment of a statute in 2014 that simplified the process for civil forfeiture trials in order to expedite the final disposition of seized animals. Establishing liability protections for those organizations that assist with animal cruelty investigations would be another step in the right direction.

Thank you for your consideration of this testimony and your Committee's attention to this important legislation.

A handwritten signature in blue ink that reads "Barry Londeree". The signature is fluid and cursive, with a long horizontal stroke at the end.

Barry Londeree, Vermont State Director
The Humane Society of the United States
PO Box 8492
Burlington, VT 05402
(802) 598-9737
blonderee@humanesociety.org