

# Help stop roadkills

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**DERRY, N.H., CHARLOTTE, Vt., and SHUSHAN, N.Y.**—You too can help prevent roadkills, by taking a copy of the survey form on page 7 of this issue with you the next time you go walking.

Every roadkill you record will help in a concerted effort to identify the characteristics of "killing zones" that attract multiple roadkills, and help as well to develop a defensive defensive driving curriculum that could save millions of animal lives.

Two parallel but cooperating teams are collecting roadkill observations: a nationwide network of middle school students assembled by environmental science teacher Brewster Bartlett of Pinkerton Academy in Derry, New

Hampshire, and the readers of *Country Life* magazine and **ANIMAL PEOPLE**.

Bartlett, no relation to **ANIMAL PEOPLE** publisher Kim Bartlett, was named Environmental Teacher of the Year on June 14 by the Society for the Protection of New Hampshire Forests, in recognition of *Dr. Splatt's Roadkill Monitoring Project*, a high-tech enterprise he developed to introduce students to the use of computers in doing scientific research. Students from 30 middle schools and high schools around New England fed roadkill counts to Dr. Splatt and each other throughout April and May. They recorded the deaths of more than 1,600 animals, including 400 grey squirrels—141 of them in a single week. Eighty-

three raccoons were killed in another apparent high-risk week, along with 52 birds, many of whom might have been feeding on the dead raccoons. Other weeks showed spikes in the number of beaver, skunk and rat roadkills.

If the spikes prove to be repetitively predictable such roadkills may be prevented by issuing advisories to motorists via traffic reports: "Skunks are coming out of hibernation this week. If you come up behind one, *don't* slow down suddenly, as they'll look around and step straight into your path."

**ANIMAL PEOPLE** is currently refining the Dr Splatt project data, and will describe it further in our  
*(continued on page 7,*

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# ANIMAL

*News For People Who*

# PEOPLE

*Care About Animals*

Supreme Court rules

# *Animal sacrifice ban overturned*

## VERDICT DOES NOT AFFECT ANTICRUELTY LAWS

WASHINGTON D.C.—Anticruelty laws were unaffected by a June 11 United States Supreme Court verdict that overturned a ban on animal sacrifice imposed in 1987 by the city of Hialeah, Florida. The Supreme Court unanimously held that although governments do have the authority to enforce prohibitions on cruelty, the keeping of livestock, and violations of zoning, the set of six ordinances enacted in Hialeah were unconstitutional because they were adopted in

specific response to the intention of the Church of the Lukumi Babalu Aye to build a temple, and were drafted in such a manner as to avoid affecting any other group or activity.

For instance, the Court explained, farmers were specifically exempted from prohibitions on raising animals of certain types commonly sacrificed by members of the Church of the Lukumi Babalu Aye, and also from a prohibition on slaughtering animals outside of a licensed slaughterhouse.

Likewise, the Hialeah ordinances were tailored to have no effect on hunting, trapping, fishing, vivisection, or greyhound racing and training. In effect, they only prohibited "ritualistic animal sacrifice," not similar deeds performed outside of a ceremonial context. They thus violated the first clause of the First Amendment to the U.S. Constitution: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The Supreme Court has established through a long tradition of jurisprudence that lawmakers may regulate matters pertaining to religious practice if, as *Sherbert v. Verner* held in 1963, there is a clear and compelling reason to do so, and/or, as the *Employment Division v. Smith* verdict held in 1990, the legislation is

*(continued on page 7)*

*(Photo by Kim Bartlett)*

# Alaska resumes wolf killing

## SUES FRIENDS OF ANIMALS FOR CALLING TOURISM BOYCOTT

**FAIRBANKS, Alaska**—As many as 450 Alaskan wolves will be trapped, snared, and shot during the next three winters to make more moose and caribou available to hunters, under proposals adopted July 1 by the Alaska Board of Game.

**ANIMAL PEOPLE** waited to go to press until the Board of Game decision became final—a week after the normal deadline—because of the signal importance of the wolf issue in the ongoing clash between ecology-based and hunter-driven philosophies of conservation. The board was expected to revive

the wolf control strategy scrapped last winter under threat of a tourism boycott but the details were obscured in a blizzard of 92 wolf management proposals on the summer meeting agenda, two of them from the Alaska Department of Fish and Game and many others from influential hunting associations.

Trappers get first shot at the wolves, literally, starting October 1. The Board of Game redefined the status of Alaskan wolves to allow anyone with a \$15 trapping license to spot them from the air, land, walk 100 yards from the

*(continued on page 8)*

## **INSIDE**

**Constitutional lawyers  
explain Supreme Court  
ruling on animal sacrifice**

*She can castrate or sue—  
vet with a lawbook*

**THE PEACE PLANTATION:  
WHO GETS THE MONEY?**

**More on horses used to  
produce estrogen drugs**

*Is AmEx really dropping  
fur promos?*

**Philadelphians give us  
@#\$\$% over feral cats**

## Editorials

# *You get more flies with honey than vinegar*

"We appeal once again for stronger ordinances for companion animals," the address to the city council began. "It looks as if more will be killed this year than last year." So far, so good: a succinct statement of the problem by a humane group with an established record of accomplishment. The councillors were at attention, awaiting the statistics and the proposed solution. But instead the humane society director mounted a figurative pulpit, her voice rising to fill the room.

"Deciding that death for other beings is preferable to a risk-filled life is not euthanasia in its traditional form," she lectured, "but rather a lethal manifestation of speciesism that projects our own fears and values onto another species." As the perplexed council members glanced at each other and scratched their heads, she raised her voice another decibel and continued. "Mass killing manages an animal control problem for society, but only a *morally bankrupt* community would continue to participate in such institutionalized slaughter. Humane euthanasia may be indeed the lesser of evils facing abandoned animals in a hostile world, but it is still an *evil*. Instead of confronting the sources of injustice, as represented by *public ignorance, apathy, and cruelty*, we have chosen to punish the victims. Our city shelter is not much more than a killing machine."

And then, as her supporters climbed up on their chairs to cheer, she asked for \$30,000.

She didn't get it. About all that the councillors understood from her speech was that they'd just been accused of representing the interests of a town full of stupid, cruel, indifferent moral degenerates, who were supposed to foot the bill for a program propounded by the person who'd just called them names. If their constituents really were all that stupid, cruel, indifferent, and degenerate, supporting a humane society could be political suicide. If they weren't, supporting a person who accused them of such could also be risky.

Voices crying in the wilderness can afford to insult the public because no one is listening. Politicians can't. The politician who disrespects the people is soon a former politician, no matter how astute his or her political career in other regards. When we go to the public seeking sympathy, cooperation, and financial help, we too must become politicians—unless we want to fail and remain just voices in the wilderness, true to our beliefs but ineffective in advancing them. Every word the humane society director said may have been true, at least from her perspective, but pronouncements of truth from limited perspec-

tives don't get laws and appropriations through negotiating committees.

The humane society director could have told the councillors, "This is a progressive community in many respects," briefly listing recent positive accomplishments in promoting public health and safety, before noting that, "Unfortunately, our animal care and control programs have slipped below the rising national standard. Certainly you have other priorities," she could have continued. "Human priorities. At the same time, animal care and control problems are human problems, because there is a relationship between how young people perceive the treatment of animals and how they learn to treat human beings; a relationship between the presence of homeless animals and public health; and a relationship between endlessly spending money to kill homeless animals and never having quite enough money to deal with human social issues. Statistics from other communities show," and she could have offered them, "that if we spend \$30,000 now to prevent pet overpopulation, we will be saving up to \$300,000 in animal care and control costs over the next ten years. Ever more important," she could have pointed out with a brief switch to her preaching voice, "by teaching our children that we believe in preventing pets from breeding, rather than in throwing away puppies and kittens, we will be teaching them a lesson in respect for all of life that will extend to their still-developing attitudes toward other people, including eventually their own children. Your investment in more effective animal care and control is thus an investment in improving overall community well-being," she might have concluded. "Your help will be gratefully appreciated, not only now but as the years go by."

Could that speech have won the appropriation? Since it wasn't delivered, we'll never know for sure. But versions have been delivered successfully in many other communities, and many other communities with problems as severe as those of the one in question have learned that improved approaches to animal care and control bring multiple benefits.

The point to remember, when your turn to address a public body comes—whether directly or in a letter or through the media—is that no matter how frustrated you may be, a blast is going to get you nowhere. Link your concerns to those of the public. Give people good reasons to want to help you, not reasons why you think they're going straight to hell if they don't, and thank them in advance. There's no absolutely surefire way to succeed in politics with a difficult program, but avoiding surefire failure is a good beginning.

## No place for a saint

Almost every day we hear from an animal rescuer in desperate trouble. Today it was an elderly woman who had to relocate, and couldn't take 50 feral cats she'd been feeding with her. Only a handful of the females had been neutered; she lacked the funds to fix the rest. She wanted us to recommend a shelter that could take them all in, guarantee they would be socialized, and see to it that they were adopted into good homes.

Each of the callers believes in miracles. Somewhere, they're sure, some foundation or wealthy individual has funds to invest in endlessly taking in and looking after the animals no one else wants.

In truth, the foundations and wealthy individuals who assist animal-related charities are scarce, over-solicited, and often over-extended. Because even the yield on a multi-

"I don't believe in euthanasia," she warned us.

A few days ago there was the woman who'd purchased a farm and kennel with the idea that the kenneling operation would support an all-species no-kill sanctuary. She got as far as obtaining nonprofit status and acquiring a menagerie of 15 dogs, 14 cats, and 150 chickens, ducks, geese, and guinea hens before discovering that her income couldn't come close to meeting the mortgage payments. "All I need is \$150,000," she begged. "But it's coming down to where I have no choice but to put the animals down, and I know that when I do, I will have a stroke and die."

And then there was the 60-year-old man who called on the eve of the bankruptcy of a business he'd put his life into. He'd resigned himself to that, but wanted to know who could make up for the \$75,000 a year he'd no longer be able to give to an unincorporated no-kill shelter—a former boarding house bursting with about 150 dogs and cats, with goats, ducks, geese, and chickens roaming the yard.

## ANIMAL PEOPLE

News for People Who Care About Animals

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**ANIMAL PEOPLE** does not publish fiction or poetry.

million-dollar endowment fund is only a fraction of the cost of caring for all the homeless animals among us, the wisest donors to anti-pet overpopulation programs reserve their funding for innovative efforts to attack the problem at its origins, e.g. neutering clinics, neutering information hotlines, research into injectable sterilants, and attempts to influence the behavior of pet owners. Just as few shelters promise to do anything for animals in bad health or beyond the most popular age for adoption (under three years of age), few funding sources will even consider investing in operations whose only accomplishment is to temporarily spare a mere handful of animals from the needle.

Amid an economic climate causing the cancellation of the acclaimed 20-year-old Los Angeles city neutering clinics, cutbacks and cash flow problems for the 10-year-old New Jersey neutering subsidy program, the layoff of half the Chicago animal care and control staff, and numerous other reductions of service at major pounds and shelters both public and private, there are no miracles.

There are simply those who take on only what they can handle, and those who try to do more, become overwhelmed, and eventually see their effort go for naught when they can't pay the bills or lose their health or run into legal problems.

Compassionate people by definition have a hard time saying no, they can't take in just one more orphan, and have an even harder time saying some animals must die in order that others will live, or have a better life. The problem is compounded by the vilification some otherwise compassionate individuals direct at those who do say no and do euthanize healthy homeless animals, often at tremendous psychic cost, because they understand that whatever their emotional inclinations, they really can't save every creature or even make a significant start in that direction. As we discovered when **ANIMAL PEOPLE** publisher Kim Bartlett suggested euthanizing feral cats might be more humane and practical in many situations than neuter/release, after extensive experience coordinating a regional neuter/release project, the mere mention of such an idea brings a barrage of allegations of heartlessness, sometimes accompanied by direct threats.

Certainly, for all of us, there are those occasions when we must say yes, despite the inconvenience, expense, and other difficulties involved in picking up another stray. Our own lives are enriched immeasurably by our many successful rescue projects. At the same time, the rescuer who cannot either say no or say goodbye stands a good chance of eventually becoming an animal collector. Sharing feces-strewn quarters with impossible numbers of starving and diseased dogs and cats, collectors typically live under the illusion that they are in fact sheltering strays and ferals, whom no one else can possibly love and care for as much. Most often, collectors don't even recognize the problems for which they are prosecuted, when and if humane authorities become aware of them. They never understand that compassion alone is no guarantee of humane treatment, and that misdirected compassion can sometimes cause more suffering than casual indifference.

Every rescuer needs a dash of humility. Refusing to take in needy animals may be morally wrong, as may be euthanizing healthy but unadoptable animals, but so too is taking in and keeping so many that none are helped effectively. It is worth remembering that the classic definition of a tragedy is a situation where an individual proud of his or her own virtue must make a fatal choice in a situation with no right answer; calling pet overpopulation a tragedy is not just a figure of speech.

The few among us who feel uniquely privileged to avoid making tragic fatal choices will undoubtedly go on reminding the rest of us, who do, that we are imperfect and miserable sinners—until their pride in perfection yields to reality and an empty bank book and/or an eviction notice, and we get another of those heartbreaking calls from a one-time would-be saint for the animals whose good-faith efforts have become a disillusioning descent into an emotional, physical, and spiritual hell.

# Letters

## *Breeding ordinances*

As an animal control officer, I am impressed by the emphasis on accuracy your publications demonstrate. Your May article on overpopulation legislation quite correctly avoided a mistake that San Mateo County and Denver seem to have made, namely combining a broad-based neutering requirement with differential licensing fees. To determine what license fee to charge, the prospective licensee must be asked if the animal in question is surgically sterilized. An honest answer may be a confession of unlawful possession of a fertile animal, which may explain the alleged drop in license revenue in San Mateo County. Additionally, courts may rule that the question cannot be asked if it compels self-incrimination. I am told that *Hayes v. U.S.* (1968) contains a ruling that convicted felons cannot be compelled to register their guns, since such registration would incriminate them on an unlawful possession charge. If so, similar reasoning would seem to apply to mandatory sterilization.

The practical enforcement problem I see is the difficulty of proving beyond a reasonable doubt that any given dog or cat is *not* surgically sterilized. Presence of testicles does not necessarily prove fertility; the animal may have had a vasectomy. This and other problems will rapidly discourage broad-based sterilization provisions, since no law is better than its enforcement.

—Ron Burch  
Adams City, Colorado

## *Animal Collectors*

Your tone and condemnation of animal "collectors" is pure arrogance. I have no intention of renewing my subscription.

—Dorothy Petrak  
Jersey City, New Jersey

## *Chicago, Chicago*

As a resident of Chicago, I was astounded to read your article in the June 1993 issue including Chicago among trend-setting animal population control programs. Chicago's only animal population control program is mass slaughter. The Chicago Commission on Animal Care and Control has fought tooth and nail

## *Pound Seizure*

Regarding "Pound seizure fight resumes" (June), concerning the sale of dogs to research by Summit County Animal Control in Akron, Ohio, the wording of Ohio Revised Code 955.16 deserves attention: [Any sheltered dog] "not redeemed *shall* be donated to any nonprofit special agency that is engaged in the training of dogs to serve as guide or leader dogs for blind persons, hearing dogs for deaf persons, or support dogs for mobility impaired persons and that requests that the dog be donated to it. Any dog not redeemed *may* be sold to any *nonprofit* Ohio institution or organization that is certified by the Ohio public health council as being engaged in teaching or research concerning the prevention and treatment of diseases of human beings or animals. Any dog that the dog warden is unable to dispose of, in the manner provided by this section, may be humanely destroyed, except that no dog shall be destroyed until 24 hours after it has been offered to a *nonprofit* teaching or research institution/organization that has made a request for dogs to the dog warden."

The added emphasis on "shall," "may," and "nonprofit" is mine. The ambiguity between "shall" and "may" leads to a dilemma. Most of Ohio's shelters could be breaking this law, since most claim they don't sell to research, but a good attorney could probably make mincemeat of the ambiguity. Also, are the anti-pound seizure activists checking into who is buying dogs from pounds? This law specifies "nonprofit" organizations, certified by the Ohio public health council.

—Donna Robb  
Medina, Ohio

## *Pets in trailer court*

Thank you very much for your concern during the recent episode between the pets of Pioneer Park and Global Mobile Liabilities, Inc. We are happy to say that our pets were spared an untimely death. Due to our mentioning all of the animal groups that were willing to help us, our petitions and concerns were taken seriously. Our pets are now "grandfathered" from the new rules. So, we would like to extend a heartfelt thank you to your organization from over 1,200 tenants and pet lovers. Stop in to see us if you are ever in Wyoming. We would be glad to offer you our thanks in person.

—John E. Barry Sr. and Cynthia Ortiz  
Green River, Wyoming

*Barry contacted ANIMAL PEOPLE when a new management firm took over Pioneer Park and tried to limit the residents to two pets per household, effective July 1, with no exemptions for pets already in residence. We pointed out that federal law protects the pets of senior citizens in federally assisted housing, a point of possible applicability for some of the affected tenants, and that landlords do not have the right to unilaterally change the conditions of leases already in effect. We also put Barry in touch with Linda Hines of the Delta Society, who specializes in advising tenants in such situations and responded to this one immediately (The Delta Society may be reached at 321 Burnett Ave. South Renton, WA 98055-2569; 206-226-7357.)*

# Cry, wolf!

LAST WINTER, when Alaskan wildlife officials threatened to gun down wolves to make more moose and caribou available as living targets for hunters, public outcry caused the Governor to call off the wolf massacre.

**BUT THEY'RE DOING IT AGAIN!!!**  
No sooner was the tourism boycott called

all attempts to bring Chicago's animal control policies into the 20th century. You praised Animal Care and Control director Peter Poholik's vision in opening a public discount neutering clinic. There is no such clinic, never has been. The pound does abide by a state law requiring that animals adopted from the pound be altered, but Mr. Poholik and the Commission have fiercely resisted all efforts from private citizens and humane groups to implement any spay/neuter program. It is true there is an expensive attractive building in which to kill 90% of the animals who come in the door. Otherwise, for Chicago's animals nothing has changed.

—Joan Zaneveld  
Chicago, Illinois

Yes, Peter Poholik is just doing his job. Yes, he inherited a traditional pound, with a high euthanasia rate, low adoption rate, antiquated facilities, and a demoralized staff of 67. The high euthanasia rate, low adoption rate, and a demoralized staff have always been there and are still there. If in 1982 Poholik had such vision, why was an \$8.5 million facility built to house animals when half of that should have been used for a municipal neutering center? What a beautiful facility with a huge mural at the entrance (\$65,000 cost). It is very impressive to visitors, but do you think an animal thinks how beautiful it is as he is dragged whimpering and crying to his holding pen and a few days later to his death?

Where is this public discount neutering clinic? It only applies to animals adopted at the pound.

—Elizabeth Kantanen  
Chicago, Illinois

*We erred in stating that the Chicago Animal Care and Control neutering clinic is open to the public. In fact, due to the political clout of the American Veterinary Medical Association, based in Schaumburg, Illinois, no community pound in the state of Illinois is allowed to neuter animals for the public. Until the AVMA reverses its official opposition to public discount neutering clinics (which many individual members support), no pound director or civic commissioner is going to be able to change this. It remains to Mr. Poholik's credit that under his administration the Chicago pound adoption rate has more than doubled, and the number of euthanasias has declined from a high of 29,000 per year in 1985, after Poholik halted sales of animals to biomedical research labs, to circa 20,000 now—even though impoundments are up 25%. The present Chicago pound euthanasia rate of about 85% would be high for a private humane society, but is in fact lower than average for pounds in major cities.*

Photo by Paul Soffron

by Friends of Animals lifted than Alaskan officials were back with new plans to kill wolves. At the Alaska Board of Game meeting concluded July 1, the state authorized killing as many as 120 wolves this winter in "game management unit 20-A," a region whose wolf packs roam in and out of Denali National Park—one of the world's most celebrated wildlife reserves. Alaska is urging trappers to

catch the wolves of 20-A in leghold traps, to suffer agony and become living lures for their packs, who will not abandon injured members. "Trappers" wealthy enough to fly in to check their trap lines can spot the wolves from the air, land, and open fire as soon as they're 100 yards from their planes. A hundred yards—half the length of a city block! To make the killing even easier, Alaskan officials will find wolf packs as they feed, and tell the trappers where they are. And to make sure of killing all the wolves they want, state officials themselves may join the massacre.

That's not all. The Board of Game extended the wolf hunting and trapping season by a month, to give the wolf-killers more time to do their bloody work—and now allows any sport hunter with an airplane and a trapping license to shoot wolves anywhere in the state from October 1 through April. All the hunters have to do is walk 100 yards from their planes.

Alaska's misguided wolf control proposals have no scientific merit. They are aimed solely at inflating herds of moose and caribou to more than the natural numbers, to please the hunting industry. Please help us stop this cruel and unnecessary killing before it starts. If the state of Alaska would rather slaughter wolves than welcome visitors, tell Governor Hickel that you'll be making tracks somewhere else!

*P.S.—Alaska is suing Friends of Animals for revealing the state's vicious anti-wolf strategy before it was formally adopted. We had hoped to prevent the killing, and*

## Help needed

The problem of cat overpopulation is similar in magnitude to the U.S. trillion dollar deficit. We're all going to have to bite the bullet and contribute. The problem did not appear overnight, nor will it go away overnight. Cat overpopulation is a result of a combination of elements and I believe the answer we're all looking for is a combination of solutions—help, education, and legislation.

To me, help is the most important ingredient. Years ago I bet humane people thought it was a pipe dream to have a humane organization in every county. Today we do (almost). I advocate also having a feral cat neuter/release group in every county, perhaps coordinated by the established humane societies.

Amnesty for cat feeders would be needed in every community where cat feeding is prohibited. No one thinks that having feral cat colonies is a good thing. We would all like to see them phased out. However, making it illegal to feed ferals if they're not neutered is unreasonable. Feeding colonies is important to do because that is how we keep them in the same place so that we can trap and neuter them. I have been told by opponents of neuter/release that "It's more cruel to feed them and not neuter them than it is to not feed them at all." But the question here is not to feed or not to feed.

We could have a registry for feral cat colonies, divided into "done" and "to do" categories. When a participant's colony gets to the top of the list, the neuter/release group would come to provide the assistance needed in trapping, altering and identifying each cat.

It is not true that all

## Poverty and ferals

Regarding your June cover feature on feral cats, I recommend to all the book *Cats Kingdom*, by Jeremy Angel, 1985, Warner Books.

I wonder about defending the right of the poor to have pets in all cases. In many places the pets of the poor are neglected or even abused, though not necessarily by their owners, who are often good folks. Often the cats and dogs in poor areas are semi-feral. Further, cities are hostile to poor people, so of course are hostile to their pets as well. The poor are often renters, and "no pets" policies have doomed many. Keeping a healthy, safe pet takes money, time and education. But surely poor people need pets, and pets need homes.

Congratulations on a fine paper.

—Rita Atkins  
Tunkhannock, Pennsylvania

## Praise

Thank you so much for your attention to neutering, overpopulation, and the feral cat issue. You're doing a wonderful job of covering these complex problems.

—Jamaka Petzak  
El Monte, California

## Damnation

After only 10 months in the capture/release business, we have yet one more so-called animal activist giving advice that is contrary to the most basic of animals'

# Feral Cats

vacating the animal rights movement should be Bartlett's next move.

I share my home with 12 cats and 2 dogs. They were all abused and/or abandoned. I have rescued, vaccinated, neutered, deflead, dewormed, and found homes for dozens and dozens of animals. I will never succumb to capturing an animal with the intent of having it killed.

—Lou Peluso  
Philadelphia, Pennsylvania

Having read Kim Bartlett's "Rethinking neuter/ release," I had to remind myself I was reading an animal rights paper. His suggestion to kill off the homeless cat population so we can get a handle on overpopulation was pathetic.

Kim's statement of "concern" regarding "the impact of feral cats on wildlife cannot be ignored, and should be a major consideration," was outright hypocrisy, as **ANIMAL PEOPLE** allowed their cats to roam the 10 acres of their home. "Major consideration"? Yeah, right.

Obviously, when the first cat "vanished," any right-thinking person would have kept the rest indoors, like a true animal rights activist would anyway. But to let nine "vanish." One wonders if the project didn't infringe on the staff's freedom and this was the escape clause—vanishing cats.

—Mary Pacitti  
Philadelphia, Pennsylvania

I recently had an opportunity to review a friend's copy of **ANIMAL PEOPLE**. It's very hard for me to believe that someone like Kim Bartlett who has been involved

Re: "Rethinking neuter/ release," do the animals and those who REALLY care about their rights a favor. GET THE HELL OUT OF THE BUSINESS OF ATTEMPTING TO SPEAK FOR THEM!!!!!!!

—I. Bradford  
North Wales, Pennsylvania

**The Editor responds:** Over 75 calls? We got just eight negative responses in total, including both a call and a letter from Ms. Baker, the four additional letters above, all of which come from the same zip code prefix, and two calls from one other person, probably one of the letter writers, who also had a strong Pennsylvania accent.

For the record, as we have already stated on many occasions, **ANIMAL PEOPLE** is not and does not pretend to be "an animal rights paper." We cover the whole field of animal protection, and provide a forum for the expression of all points of view within this broad field. Kim Bartlett, our publisher, defines herself as a humane advocate. With that much said, it is worth noting that Kim's endorsement of euthanasia in certain circumstances is far narrower than any of you attribute to her, and also far narrower than the position of People for the Ethical Treatment of Animals, the largest self-defined animal rights group, which not only endorses euthanasia of all homeless animals but also opposes neuter/

published ethological literature or feral cats, and the cumulative experience of the nearly 200 cat rescuers who responded to our national survey on feral cats (published in our November 1992 issue) all confirm three essential points, which we have often outlined:

- Feral cat colonies almost always begin with an abandoned tame mother. Thus non-neutered pets are the ultimate source of the feral population, even if most cats in some colonies are born wild.

- Only a third of all feral cats who survive weaning live to age two, just 17% survive another year to reach age three, and only 3% live to age 10, the median lifespan of pet cats (who spend a median of six years in any given home). Thus the reproductive potential of a pet cat is up to 10 times that of a feral, and neutering a pet cat correspondingly prevents up to 10 times as many kitten births.

- 88% of feral cat colonies occupy hostile habitat, primarily because property owners, neighbors, and/or public health authorities don't want the cats to be there. Another way to put this is that on a nationwide or even citywide basis nine out of ten feral cats are likely to be removed and killed by someone. If there are 35 million feral cats in the U.S., as we estimate, only 3.5 million could be candidates for successful neuter/release. That leaves 31.5 million cats to find something else to do with, in a nation which

colony keepers know about low-cost neutering and humane trapping. Without such organization, we wouldn't even know about each other. Only five years ago I was one of those people. I was hand-catching feral cats, stuffing them into boxes, speeding them to my veterinarian, and paying \$100 per cat for neutering and shots. Fortunately my vet gave me the name of a feral cat rescuer to help me as soon as I told him how many there were where I was working.

P.S.—My 70-year-old Uncle Ralph feeds 14 cats behind his home and has done so for the past 15 years. Two of the female cats won't go into a trap, so each year he traps their kittens and either finds homes for them or has them euthanized. Is Uncle Ralph a bad guy, or does he need help?

—Sherry DeBoer,  
Legislative Advocate  
California Federation for Animal  
Legislation  
Alamo, California

rights—that the individual animal has the right to life regardless of the animal's use to humans. Kim Bartlett's "Rethinking neuter/release," in your June issue, most likely angered many true animal rightists with the statement, "I think that in the majority of cases it's probably better to round them (strays) up as gently as possible for euthanasia, and spend the money neutering the pet animals of people who can't or won't do it." Bartlett continues by stating that euthanizing strays "would effectively cut off the source of most of the homeless cat population." There once was someone by the name of Adolph who had the same plan for people. It was criminal then and it's criminal now regardless of the species being discussed.

We don't need more welfareists pushing themselves off as animal rights advocates to hinder the goal of "empty cages not bigger cages." If Bartlett is going to use his position at **ANIMAL PEOPLE** to push such convictions and opinions,

in humane work for 21 years could write about rounding up feral cats for euthanasia, especially after only a 10-month experience. I believe her article is promoting death over trying to save lives. At best, she is very discouraging to the many people working so hard to fight the pet overpopulation problem. For these reasons, I will not subscribe.

—Terita M. Wenk  
Langhorne, Pennsylvania

I write this letter on behalf of not only myself but on behalf of the over 75 calls I have received in response to Kim Bartlett's article "Rethinking Neuter/Release. Bartlett states that euthanizing feral cats and spending the money it would take to neuter them on neutering the pet animals of people who can't or won't do it would effectively cut off the source of most of the homeless population. And at the same time, Bartlett also states that neutering feral cats is not "any real solution to the problem of homeless cats, just a stop-gap measure to prevent more births. Well, if neutering cats that live outside (feral) would not reduce the population, then how possibly could neutering pet cats that live inside reduce it? You are still neutering the same number of cats, whether outside or inside, and the same number of births are prevented from both.

You committed a horrible crime against animals when you published this article.

I have 14 cats living inside with me. They were all feral. They were all caught in humane traps and every single one of them was unapproachable for many, many, many months. But I now have 14 sleeping partners at night. It takes time and it takes patience. No one ever said that the fight would be easy.

—Cheryl Baker  
Philadelphia, Pennsylvania

release under any circumstance.

*It is interesting that all five of you overlook the extensive context to Kim's commentary, which appeared as a sidebar to the cover feature "What we've learned from feral cats." The latter, in turn, was the fourth in a year-long series of in-depth reports on the **ANIMAL PEOPLE** model neuter/ release project; we know at least two of you have received all four installments. This experimental project, one of the most closely monitored and recorded neuter/ release efforts ever undertaken, captured and treated 326 cats in seven months during the winter and spring of 1991-1992. More than half the cost came out of our own pockets.*

*Kim personally and directly participated in every rescue. At this writing she has not had a full day off from providing care to feral cats in nearly 16 months. Of the 326 cats, 237 were released to their caretakers; 47 were adopted out after socialization; 18 either died of conditions from which they suffered at capture or were euthanized for serious medical cause; and one died of a punctured lung in an apparent freak accident. (We never did find out how it happened or what caused it—the instrument may have been another cat's claw, but there was no sign of there having been a cat fight.) The remainder came with us to our present location to form our resident colony, or, in two cases, were rescued after our arrival. The 10 months experience to which Kim referred in her commentary were the 10 months since the cats were released under our supervision here; the duration of the **ANIMAL PEOPLE** project is now 20 months, as the main article made evident, and our total experience at rescuing, neutering, and socializing feral cats covers more than 16 years.*

*Our own experience, the*

*already keeps 61 million pet cats.*

*As Kim pointed out, humane euthanasia is not an ideal solution, but neither is returning neutered ferals to a hostile environment; nor is adoption possible for more than a relative handful. It is praiseworthy that Mr. Peluso and Ms. Baker share their homes with 12 cats and two dogs and 14 cats, respectively, all of them rescue projects whom they have personally socialized. We share our home at present with 22 rescued cats and two rescued dogs, and at one point had 31 rescued cats living with us.*

*If not wanting to take healthy animals to be euthanized is to Mr. Peluso and Ms. Baker's credit, it is also to Kim's. She has worked countless hours to socialize each and every one of our ferals, and has cried for days over each cat we've lost—especially over those whom she believes were lost to larger predators. As the article her commentary accompanied explained, there is only circumstantial evidence to indicate that this is what happened, and the first of the cats who vanished did return after the others disappeared. When it seemed likely that some of our ferals were disappearing, not just being elusive, Kim made every effort to draw them inside at night. However, with not only the 10 acres here but also thousands of acres of sparsely inhabited mountains around us, teeming with potential cat prey, there isn't any catching a trap-smart cat who doesn't want to be caught. Nor do we believe imprisoning a feral cat who prefers to be wild is any more respectful of the cat's rights than allowing the cat to live and die as the cat herself chooses.*

*Finally, if either Mr. Peluso or Ms. Pacitti had read the cover article and Kim's commentary carefully, her gender should have been quite apparent.*

## New ANIMAL PEOPLE information projects

### SENIOR ANIMAL PEOPLE

ANIMAL PEOPLE is now producing a newspaper column, available on a weekly or monthly basis, about animals and senior citizens. Please ask your local paper to subscribe to it: \$30 per 500-word installment, c/o ANIMAL PEOPLE, P.O. Box 205, Shushan, NY 12873. Free samples available. Installments are provided well in advance on Macintosh disk with hard copy. We sell exclusive rights within each subscribing paper's distribution radius.

### NATIONAL POUND AND SHELTER ROSTER

Do you have addresses for all the pounds and shelters in your state or region? ANIMAL PEOPLE is compiling a master mailing list of every pound and shelter in the United States, to better facilitate the distribution of humane information and to improve the quality of humane data reporting. You can help us do it. If you have a master list of pounds and shelters in your locale, please send us a copy. We estimate there are at least 500 to 1,500 small municipal pounds and private shelters not yet on any national mailing list. We're eager to welcome them to the humane community. (Address P.O. Box 205, Shushan, NY 12873.)

## More Letters

### Henry Spira

Henry Spira did it again! (April 1993 editorial). Spira sold out to the soap industry and the cosmetic industry, Procter & Gamble, etc., in 1985. Spira stated, "Let's stop persecuting them; they're doing their best to humanely improve. Let's get after the vivisectors who really torture animals in medical labs." Now Spira has sold out to medical lab vivisectors.

—Dorothy Bernstein  
Coral Gables, Florida

Your April editorial about Henry Spira and compromise is well-written and well-taken. But we should remember that the reason Procter & Gamble, etc., are finally beginning to move on animal testing is because of continued pressure from animal rights groups, particularly In Defense of Animals. Before compromise is possible, there has to be something to compromise about.

—Gene Brewer  
New York, New York

### Breeder ethics

I don't breed often (six pups total in 12 years), but when I do, I have buyers lined up. Some people wait several years for pups from breeders. People choose to buy pups like this for specific reasons and they would not just go to a shelter and pick any dog instead. Market forces exist in dogs just as in cars. People won't go buy an Escort if they want and can afford a Cadillac. I don't think that mutts have less intrinsic value than purebreds—I'm just stating the realities of the purebred market.

I believe that breeders who only breed to improve the breed, produce dogs of sound temperament and sound health, place pets on neutering contracts, and who continue their commitment to the buyer throughout the life of the dog are providing a worthwhile service. I do not believe the birth of such a litter has a causal relationship to the death of shelter animals. Purebreds give a level of predictability of type and temperament which can be used to assure that people pick the right dog for their lifestyle and conditions. I think that the

## Guest column:

# Breeding regulation, not moratoriums

by Petra Murray

A moratorium on the breeding of dogs and cats may initially seem to be an easy and effective solution for companion animal overpopulation. However, if we think beyond a moratorium we will come up with an even more precise and effective solution—albeit not the only solution.

A moratorium refers to a temporary cessation of activity, and therein lies part of the reason that a moratorium will not be the answer to pet overpopulation.

To be sure, good breeders should pause for a week or two or a month or more to become educated about overpopulation. They should visit their local pounds and shelters and look at the homeless animals. They should study records for the month, the year, etcetera, and get a handle on their county's problem. They should be in touch with rescue and breed rescue groups in their areas. They should know what pet stores exist in their counties and which ones sell feed only, which ones sell animals and what animals, and so on. Many good breeders already have extensive knowledge in these areas, but many have no idea whatever of the scope of overpopulation and its sad consequences. Thus good breeders should have their own moratorium for whatever length of time it takes them to educate themselves.

Thus far I have referred to "good breeders," and this is the very crux of my disagreement with a moratorium. "Good"

good breeders. Most of us have advertisements and some word-of-mouth information, but little else. We have come to recognize that, alas, the initials of the American Kennel Club or Cat Fanciers of America mean next to nothing, which is a tremendous failure of the self-regulatory process, and must be corrected. We come back to needing to be able to identify good breeders so they can be applauded and patronized and recommended.

Many or most good breeders have standards, but some of them have been reluctant to share this information because rightly or wrongly, they feel threatened. There is some action to establish standards for breeders now, such as CFA inspection, but it is on a voluntary basis and there is no means of saying "no breeding allowed" to someone who fails such an inspection, even repeatedly. Many breeders don't want to have a yes-or-no qualification system, but it has to come. In virtually all areas of our lives we have to meet qualifications—to get a job, a loan, a license, etc.—and it is unrealistic to think that everything can be voluntary. Breeding animals, whether purebreds or mixed breeds, is too important an activity not to be regulated. The consequences of unregulated breeding are just too grave and too pathetic for us to continue as we are.

Just as we have planning boards and boards of education, we need compan-

Henry Spira, who lives in pricey New York City on under \$15,000 a year, has never sold out to anyone. What he does do, as our editorial explained, is drive a good bargain and stick to it. Fifteen years ago he asked Procter & Gamble to quit using the notoriously obsolescent and cruel LD-50 and Draize tests. In 1981 P&G became (and remains) the world leader in developing alternatives; by 1986, P&G replaced the Draize and LD-50 with tests using less than 1% as many animals, influencing many other major soap and cosmetic makers to do likewise. This saved more animals, many times over, than the entire "cruelty free" industry. Spira then called off his public protests, winning further gains in quiet negotiation. Only in 1987, after P&G's eventual complete cessation of animal testing seemed assured did PETA, In Defense of Animals, and the Humane Society of the U.S. target the firm for ongoing protest.

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breeding of purebred dogs is an ethical and worthwhile endeavor or I wouldn't do it.

—Margaret Anne Cleek  
Sacramento, California

### **Lottery winner**

You reported that Katherine Foster of Garland, Texas, plans to spend her \$1 million winnings to build an animal shelter. It seems to me that animal people should persuade her to use it for neutering. But whichever Ms. Foster does, she is to be commended.

—Elizabeth Lernlich  
Bellvue, Kentucky

### **Small item to spotlight**

It was with special pleasure that I caught sight on May 31 of an ABC news clip depicting a state trooper stopping four-lane traffic in Waltham, Massachusetts, to help a mother goose and her babies return to safety after trying to cross the highway and getting stranded in the middle island. Individuals like this need to be singled out for praise and distinction, to encourage others to act likewise.

—Patrice Greanville  
Westport, Connecticut

The Herb Bar ad

breeders may well pause for self-education; but do we really want "bad" breeders to ever breed? Surely we want "bad breeders" out of the picture totally.

It has become increasingly clear and an absolute necessity that we must be able to distinguish good breeders from bad breeders. Right now and perhaps for the next five years, the animal community can really only countenance breeding by good breeders: those individuals who are ethical, responsible, knowledgeable, and humane. The five-year time frame is a theoretical guess as to how long we should abstain from breeding mixed breed animals while we try to catch up with the glut on the market. (I know breeders balk at this reference to "breeding" mixed breed animals, but we haven't a better word for this activity.)

Many of us, even those in the humane community, really do not know what makes a good breeder. Much less do we know which individuals in our areas are

ion animal boards on a county level. These boards would be comprised of volunteers from all sectors of the animal community, and would be responsible for granting intact animal and/or breeder permits. The breeding community should establish standards or publish existing standards as a model for any potential breeder to emulate, which can become the conditions that have to be met before people can qualify to receive breeder permits.

We need alliances now, not of all breeders and all shelters, but of good breeders and good shelters. It may be simplistic to hope for this, but it is possible to ally ourselves from the perspective of care and commitment to our companion animals.

[Petra Murray is coordinator of New Jersey Pet Overpopulation Solutions, a statewide coalition addressing companion animal overpopulation.]

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Guest column:

# Supreme Court *did not* okay animal sacrifice

by Gary L. Francione and Anna E. Charlton

## ANIMAL RIGHTS LAW CENTER

On June 11, 1993, the Supreme Court issued its decision concerning animal sacrifice in *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*. The next day, most major newspapers carried headlines proclaiming that the Court had held that animal sacrifice is protected by the First Amendment freedom of religion clause. Typical of those proclamations was the one splashed across the entire front cover of *New York Newsday*: "Top Court OKs Animal Sacrifice." Reading the comments of major humane organizations in reaction to the decision, including those such as the American Society for the Prevention of Cruelty to Animals which have the police power to stop the infliction of cruelty on animals, we have been distressed to realize that the decision has been read far too broadly, and that there is the mistaken impression that humane officers are now powerless to stop the brutalities of animal sacrifice.

The Court's opinion in *Lukumi* was somewhat convoluted and was confused by current disagreement among Justices concerning how the constitutional guarantee of the free exercise of religion should be interpreted. In light of these misunderstandings, we have offered the resources of the Animal Rights Law Center to assist municipalities and concerned individuals to assess their options for working to protect animals from sacrifice.

First, the opinion of the Supreme Court must be more clearly understood. The Court did not hold animal sacrifice to be *protected*, as is being widely asserted; rather, the Court held that these practices could not be *prohibited* by legislation that was specifically intended to target religious practices alone. A municipality may still ban animal sacrifice, so long as these prohibitions are in accordance with neutral and generally applicable rules, such as state anticruelty statutes. Moreover, a municipality may still ban all slaughter outside of licensed packing houses or prohibit completely the keeping of certain types of animals.

sacramental use of the hallucinogen peyote by Native Americans. *Smith*, decided by the Court in 1990, held that a law which burdens religion need not be justified by a compelling state interest if that law is neutral and of general applicability. The Supreme Court in *Lukumi* decided that the case record indicated that the ordinances were passed in response to public hostility to the idea of the dedication of a building as a Santeria Church, and concluded that the ordinances were not neutral. The Court stated that "the record in this case compels the conclusion that suppression of the central element of the Santeria worship was the object of the ordinances," and that the City Council "gerrymandered" the ordinances so that they would only apply to Santeria. The ordinances thus failed the *Smith* test. It is important to understand that this does not mean that animal sacrifices cannot be regulated or banned.

### Why the Hialeah ordinance failed

The problem in interpreting the *Lukumi* decision occurs because, in deciding whether the Hialeah ordinances were neutral, the Court noted that Hialeah had not sought to prohibit forms of animal killing other than Santeria practices. Some humane societies have stated their belief that they cannot now use neutral and generally applicable anticruelty statutes to prohibit Santeria practices unless they also prohibit all other forms of killing animals. This is incorrect for three reasons.

First, the Court focussed on the under-inclusiveness of the Hialeah ordinances, i.e. that they did not cover other forms of animal killing, as proof that the object of the ordinances was not neutral, but was aimed instead at religious practices alone. The Court recognized explicitly that the case involved other concerns "unrelated to religious animosity [such as] the suffering or mistreatment visited upon the sacrificed animals, and health hazards from improper disposal. But the ordinances considered together disclose

requires me to proceed to a burial in an uninterrupted funeral procession. My having to stop my funeral vehicle at a red light might have an impact on my ability to observe the requirements of this religious ritual. Is strict state scrutiny/compelling state interest required if the police require me to stop at red lights, but allow others to go through red lights in medical emergencies? Surely not. Indeed, the Court in *Smith* cited an anticruelty statute as an example of a neutral and generally applicable statute that might permissibly affect religious practice.

### Other regulatory approaches

It may be difficult for those who believe in animal rights and believe that all the many ways in which we harm and kill animals is wrong, to discuss the right of a state or municipality to distinguish among forms of animal killing. Until we can persuade society that all such killing of animals is immoral, there are completely legitimate reasons for a municipality to be concerned about Santeria sacrifices, which are far more brutal than most other methods of slaughter. The Court in *Lukumi* made it crystal clear that the state could regulate these methods as long as they did so neutrally. If Hialeah had used the Florida anticruelty statute in prosecuting these brutal killings, rather than a separate set of ordinances, it is unlikely that this case would have reached the Supreme Court.

Indeed, this was the determination made by the court of New York in 1987, when Gary Francione successfully represented the ASPCA when it was sued by a Santeria group, which claimed that the New York anticruelty statute violated the free exercise of religion protections of the Constitution. During Francione's litigation of that case we learned a great deal about Santeria. We read and spoke to authorities on religious matters and practitioners of the Santeria faith. We viewed many files of the ASPCA law enforcement officers' investigations of ritual slaughter

## Background of the case

The *Lukumi* case arose from concern over the ritual sacrifice of animals. The members of the Church of the Lukumi Babalu Aye are practitioners of Santeria, which requires the sacrifice of many different animals as part of its services and sacraments. We have been distressed to hear politicians and even officers of humane societies dismiss Santeria with disdain as a “cult.” Santeria is derived from the Yoruba religion, which originated some 4,000 years ago in West Africa around what is now Nigeria, where it is still practiced. Yoruba was carried from West Africa to the Caribbean with the slave trade. Because slaves were frequently forced to convert to Christianity, they could not openly practice Yoruba, and so the slaves “syncretized” the Yoruba dieties with Catholic saints in order to continue worshipping them. Santeria dieties have a dual identity: the original Yoruba god, and the Catholic saint with whom the god is syncretized.

Santeria came to the United States primarily with the influx of Cubans in the 1950s and 1960s. Its adherents are concentrated in south Florida, New York City, northern New Jersey, and Los Angeles. Many Cubans themselves, however, consider Santeria a backward religion that reflects badly on the Cuban community, and the Church of the Lukumi Babalu Aye’s intention to establish a church in Hialeah caused consternation.

There are an estimated 60,000 Santeria practitioners in Dade County. The priest of the Lukumi Church testified that between 12,000 and 18,000 animals per year are killed in initiation ceremonies alone in Dade County. Many thousands more are killed in other ceremonies as offerings to the gods, including sheep, goats, hens, roosters, pigeons, turtles, and opossums. The ceremonies take place in private homes, and are kept secret even from the majority of the congregation. The bodies of the animals are disposed of in the garbage or placed in certain public places such as riverbanks, as required by the precepts of the religion.

The City of Hialeah passed six ordinances that collectively banned animal sacrifice, slaughter, and the keeping of animals for sacrifice or slaughter. The ordinances provided an exception for slaughter of animals in properly zoned and licensed packing plants, and for slaughter by small farmers of limited numbers of hogs or cows.

In deciding whether these ordinances were constitutional, the Court applied the test articulated in *Employment Division v. Smith*, a case concerning the

an object *remote from these legitimate concerns.*” (Emphasis added.) Elsewhere, the Court focused on the trial court’s finding that Santeria slaughter was less humane than that used in licensed and inspected premises, and pronounced that if the state decided that the Santeria method of killing is not humane, “the subject of regulation should be the method itself, not a religious classification that is said to bear some relationship to it.” These statements reinforce that the holding of the Court was only that animal sacrifices could not be prohibited by ordinances specifically aimed at religious conduct.

Second, Justices Blackmun and O’Connor concurred in the judgement because they did not think that the *Smith* test is sufficiently protective of religions. Despite their desire for a test *more* vigorous than that used by the majority of the Court, both of these Justices stated: 1) that a different case would be presented should those who practice Santeria, or indeed any other religion, seek an exemption from a generally applicable anticruelty law; and 2) that the *Lukumi* case did not necessarily reflect the Court’s view of the state’s interest in preventing cruelty to animals.

Third, a reading of *Lukumi* that all animal killing would have to be prohibited before an ordinance prohibiting Santeria practices could be valid would, in effect, overrule the *Smith* decision. In *Smith*, the issue before the Court was whether the petitioner was exempt from generally applicable drug laws because he wished to use peyote for religious reasons. The Court refused the exemption and refused to apply the rigorous compelling state interest/strict scrutiny constitutional analysis, holding that the prohibition on drug use was neutral and generally applicable, and had only an incidental effect on religion.

Surely the Court in *Smith* did not mean to hold that if the state permitted the use of other Schedule I drugs for medicinal reasons, the case would require an entirely different analysis. The drug control law at issue in *Smith* was not applicable to people ingesting Schedule I drugs for medicinal purposes which were prescribed by a medical practitioner. The interpretation being given to the *Lukumi* case would mean that in such a situation as *Smith*, once the state of Oregon recognized legitimate reasons to engage in the conduct of taking Schedule I drugs (following the advice of a medical practitioner), the state must allow religious reasons to be among the accepted reasons and the regulation could *not* be applied to the use of peyote by Native Americans for religious purposes without a compelling state interest.

The suggestion that a municipality cannot prohibit some acts that kill animals unless it prohibits all killing of animals is similarly untenable. It may be that my religion

occurring in apartments in New York City. We saw photographs of the conditions in which animals were kept before slaughter, bathrooms covered in blood where sacrifices had taken place, and carcasses of dismembered animals piled into the garbage. The “santeros” themselves admit that death is not swift for these animals. Santeria practitioners often completely saw the heads off of larger animals, such as goats and sheep, and place the heads of birds and smaller animals underfoot, then pull the animals’ bodies until their heads are ripped off. Decomposing animal bodies are disposed of in public places.

Moreover, Santeria practitioners insist on absolute secrecy of their sacrificial practices. Every use of animals in our society is regulated, and although such regulation is imperfect in many ways, there is at least an acceptance among society in general that the taking of animal life is something that must be regulated. Santeria practitioners wish to be the only group in our society who can kill animals without any supervision whatsoever. Surely neither the First Amendment nor common sense requires such a result.

Finally, there is nothing to stop a municipality from having laws that prohibit private slaughter, slaughter in multi-family dwellings, or the keeping of animals such as goats, sheep, roosters, chickens, ducks, etc.

The Animal Rights Law Center at Rutgers University will be pleased to offer advice to humane societies or municipalities who are concerned with animal sacrifice in their areas. We will provide them with a framework within which such cases should be approached. We had an excellent working relationship with the ASPCA in New York on these issues when John Kullberg was ASPCA president, and donated many hundreds of hours of free legal time to the ASPCA, including litigating the Santeria case. We have offered the new ASPCA president, Roger Caras, the support and resources of the Law Center if the ASPCA wishes to provide leadership to the animal protection community in considering its options to protect animals from the abuses of ritual sacrifice. As yet, Mr. Caras has not replied.

We are preparing materials that should be of use to communities dealing with animal sacrifice issues. For further information on our work in this area, please contact us at the Animal Rights Law Center, Rutgers Law School, 15 Washington Street, Newark, NJ 07102, telephone 201-648-5989.

As this is a complicated legal area, please do not use this article as the basis for a press release without checking with us first.

# Supreme Court dumps anti-Santeria laws

(continued from page one)

uniformly and broadly applicable, not targeting a specific group for their beliefs. The Smith decision originated out of the dismissal of two Native Americans from state employment for having used peyote, a prohibited drug, in a religious ceremony.

Numerous religious organizations concerned about the implications of *Smith* backed the Church of the Lukumi Babalu Aye in appealing the Hialeah ordinances, including the American Jewish Community, the National Association of Evangelicals, the Presbyterian Church, the Catholic League for Religious and Civil Rights, and Mormon, Seventh Day Adventist, and Mennonite groups. Their hope was that the Court would overturn *Smith* to preclude such possibilities as a priest being charged with illegally serving alcohol to minors in connection with serving communion.

## Kennedy bill

However, the Lukumi verdict leaves the precedents established by *Smith* intact—pending the anticipated passage of the *Religious Freedom Restoration Act of 1993*. Having already cleared the House of Representatives, the act is certain to clear the Senate soon as well, as it was introduced by Massachusetts Senator Edward Kennedy last March with 53 co-sponsors—more than half the Senate membership. Designated S.578, the Kennedy bill specifically seeks to erase *Smith*, leaving the "compelling interest" test established by *Verner* and a parallel case, *Wisconsin v.*

*Yoder* (1972) as the primary arbiter of conflicts between religious and legal requirements.

Kennedy indicated to Associated Press reporter Richard Cole on June 11 that like the *Lukumi* decision, the *Religious Freedom Restoration Act* should have no adverse impact on humane laws. According to Cole, Kennedy explained that the Hialeah ordinances were so narrowly drawn that they failed to meet either the "neutral and generally applicable" standard set by *Smith* or the "compelling governmental interest" standard of the earlier decisions.

Enforcement of anticruelty laws has been recognized as a compelling governmental interest since 1867, when New York state adopted the first such law in the U.S.

## Reactions

Although constitutional lawyers Gary Francione and Anna Charlton of the Animal Rights Law Clinic at Rutgers University issued a memorandum to humane societies on June 14, explaining the *Lukumi* decision, and although the memorandum was reprinted by several major daily newspapers, reaction from humane authorities around the U.S. was generally on the verge of panic. [An expanded and more detailed edition of the Francione/Charlton memorandum appears on the following page.] The anxiety increased June 26, when self-described Miami Santerian priest Rigoberto Zamora sawed the throats of a ram and two goats with a steak knife, then twisted the heads off of 16 birds in a rare public cere-

mony held to celebrate the Supreme Court ruling—and, Zamora said, to show the world that Santeria sacrifices are humane. He failed to convince many of the media witnesses. Other Santerians charged that Zamora's ordination as a "santero" had never been confirmed. Former American SPCA president John Kullberg, now president of Guiding Eyes for the Blind, fumed that *Lukumi* "represents a step backward in our ethical evolution." Continued Kullberg in a written statement, "For the Supreme Court to allow even the suggestion that animal sacrifice is a constitutionally protected right is to betray our founding vision of religious tolerance, which vision certainly was built on more humanely sensitive underpinnings." Kullberg went on to attack the *Religious Freedom Restoration Act* because it might "suggest to many that ritualized animal sacrifices are consistent with our American tradition of religious freedom."

Current ASPCA president Roger Caras called *Lukumi* "an obscene, bizarre and disastrous mistake," adding that Santeria, the religion practiced by the Church of the Lukumi Babalu Aye, "is not legitimate in the context of modern America."

John Vermeulen of Charlotte County Voice for Animals, in Port Charlotte, Florida, warned that *Lukumi* could mark "an about-face to return to the dark ages."

A calmer response, however, came from Michigan Humane Society executive director Gary Tiscornia, whose staff has investigated numerous instances of animal sacrifice in recent years. "We are con-

cerned," said Tiscornia, "that this ruling may encourage people to cruelly kill animals in the name of religion. However, we are pleased that the concurring opinion of Justice Blackmun joined by Justice O'Connor seems to clearly indicate that this decision does not preclude the prosecution of these types of cases under existing general state animal cruelty laws in Florida, Michigan, and elsewhere."

And *Lukumi* was praised by animal protection activist Jack Tanis, of Hollywood, Florida. "I am an atheist, an antivivisectionist, a vegetarian, and an animal welfare/protection advocate," Tanis said, "and cannot remember when I wasn't. Notwithstanding, the Supreme Court ruled correctly against the City of Hialeah. Until legislators at all levels of government realize the Bill of Rights must not be circumvented by sleight-of-hand motivated by expediency, bleak mentalities and loathsome activities will continue." Tanis pointed out that "Santeria animal sacrifices could have been abolished constitutionally, had the Hialeah ordinances been uniform in their application, which they weren't; such uniform ordinances would have been anathema to the Hialeah politicians to cater to the pressures of electoral popularity, rather than commit to progressive principles that permit neither special privileges nor selective punishment."

*Lukumi* is expected to cause extensive revision of a pending San Francisco anti-animal sacrifice ordinance proposal, if it is introduced at all, and could cause similar ordinances in effect in Los Angeles and some other cities to be scrapped.

—Merritt Clifton

## Help stop roadkills

(continued from page one)

## ANIMAL PEOPLE Roadkill Census

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September humane education section.

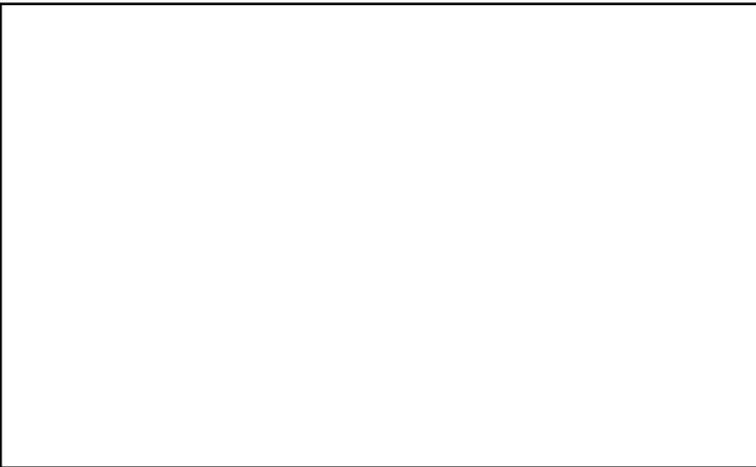
Dr. Splatt, meanwhile, is taking his project nationwide. It has already been used to teach lessons in ecology, biology, math, geography, and language skills, as well as in computer skills, and has been used successfully not only by mainstream and advanced students, but also by special education students, i.e. the mentally handicapped, those in remedial programs, and those considered to be at high risk of dropping out. Teachers may obtain details by sending SASE to Brewster Bartlett, Pinkerton Academy, 8 Pinkerton Street, Derry, NH 03038. A revised teacher's manual for *Dr. Splatt's Roadkill Monitoring Project* is to be published in late summer, priced at cost (probably around \$5.00).

The *Country Life*/ANIMAL PEOPLE Roadkill Census, intended to supplement the Dr. Splatt project, is an outgrowth of the informal roadkill census ANIMAL PEOPLE began last November, expanded with the aid of *Country Life* editor Jake Chapline, who was introduced to it by New Hampshire wildlife consultant Karl Olsen. While the Dr. Splatt project provides comprehensive data during the particularly critical spring season, when the most young animals are out and about, the Roadkill Census will document roadkill activity throughout the rest of the year, and provide comparative information in the spring.

The questionnaire at right will be reprinted at regular intervals throughout the next year. We welcome reproduction of the questionnaire for more frequent use, or use by entire organizations.

Though the Dr. Splatt project and the Roadkill Census are the first nationwide attempts ever to gather information that can help prevent roadkills, insurance statistics already indicate that animal/car collisions kill 130 people per year, injuring 7,000, and that animals in the road cause one accident in 10, more than any other cause but drunk driving.

### Dr. Splatt's roadkill monitoring team



*From left to right: Brewster Bartlett, a.k.a. Dr. Splatt, along with Pinkerton Academy roadkill monitoring project participants Adrienne D'Antonio, who served as project secretary last spring; Melissa Thompson; Sarah Greaney; Anne Starvish; Kendra LaBourasse; Sharon Hardy; Jonathan Sheldon; and biology teacher Amy Biddle.*

**Please use separate copies of this form to report data gathered on separate dates.**

*To insure the thoroughness of the data, please count only roadkills seen while traveling on foot.*

**Please do not walk on expressways, freeways, and other high-speed routes where walking is forbidden or dangerous—we don't want you to become a roadkill too!**

Road & habitat type	Lighted? yes/no	Miles walked:	Mammals by species:	Birds by species:	Reptiles by species:	Amphibians by species:
Paved 2-lane residential urban	Y N					
Paved 2-lane residential suburban	Y N					
Dirt residential suburban	Y N					
Paved 2-lane urban traffic artery	Y N					
Paved 2-lane suburban traffic artery	Y N					
Paved 2-lane downtown	Y N					
Paved 4-lane residential suburban	Y N					
Paved 4-lane downtown	Y N					
Paved 2-lane rural	Y N					
Dirt rural	Y N					
Other (describe)	Y N					

**Date of survey:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_

**Zip Code:** \_\_\_\_\_

Please describe special characteristics of any sites of multiple roadkills (e.g., woods, field crops, fruit or nut trees, stone walls, blind curves, intersections, any other possible contributing causes):

# Wolf-killing and boycott of Alaska are on again

(continued from page 1)

aircraft, and shoot them. Hunter/trappers wealthy enough to use aircraft to check traplines may now use this variant of the land-and-shoot tactic—banned two years ago—anywhere in Alaska, not just the region designated for wolf control. The 100-yard rule, newly extended to wolves but previously applied to foxes, coyotes, and lynx, is likely to boost trapping license sales, which have declined in recent years: while the cost of flying time quickly exceeds the typical yield from a trapline at current fur prices, the cost of a trapping license is pocket change to airborne trophy hunters. (Pelt prices were as much as 10 times present levels when the 100-yard rule was extended to the other predators.)

If private hunter/trappers appear unlikely to kill the quota of up to 150 wolves each winter in the wolf control zone, Alaska Department of Fish and Game staffers are now authorized to join in the killing. Meanwhile, to help hunter/trappers, deputy director of wildlife conservation Wayne Regelin said, "Information on where wolves are may be provided based on aerial observations." Regelin denied, however, that the Department of Fish and Game would make special wolf-spotting flights.

It was Regelin who in January issued a blanket promise that there would be **no** wolf control in Alaska this year, persuading an international coalition of animal and habitat protection groups to lift the boycott of Alaskan tourism called in response to the plan to shoot wolves from the air that the Board of Game advanced last November.

## How and why

The current killing strategy differs from last year's in that there is now only one wolf control zone, game management unit 20-A, rather than four including 20-A and three others; the alpha wolves (pack leaders) in at least two of last year's proposed killing zones were radio-collared, but those of 20-A are not; and the number of wolves to be killed within the killing zones is lower—though the rule allowing trappers to shoot wolves anywhere in the state will increase the kill total. This year's strategy also asserts that the wolf population of 20-A is not to be reduced below 100, from a pack officially estimated at 250 but probably less than 100 already according to aerial survey work done by wolf expert Gordon Haber in recent months, financed by Friends of Animals with technical support provided by the

could result in caribou cows becoming infertile or reabsorbing their fetuses (a trait of ungulates) due to malnutrition. Years of heavy trophy hunting, together with light hunting pressure on cows, could have produced a shortage of mature bull caribou together with a disproportionately aged cow population, many of them well past their peak fertility. Although a moratorium on hunting in 20-A was imposed in November 1991, the sex and age ratios of the caribou could have become even more skewed because of continuing pressure on the diminished number of bulls from poachers.

In addition, Wolf Haven International argues, rapidly increasing snowmobile activity in the Delta region could be disrupting breeding and causing much of the herd to migrate elsewhere. Statistics obtained from the Alaska Motor Vehicle Division confirm that the number of snowmobiles licensed in Fairbanks rose 15% between 1990 and 1992; 73% in the Fairbanks/Anchorage corridor; and 62% in Alaska as a whole.

Except in the Fairbanks/Anchorage corridor, Haber notes, "The statewide population of caribou is increasing and has more than tripled in the past 15 years."

Yet another problematic aspect of the wolf control strategy is that while the wolves native to 20-A are not radio-collared, the area is close to Denali National Park, whose alpha wolves do wear radio collars and according to Haber, spend 9% of their time outside Denali—often in 20-A. Thus hunter/trappers could still use telemetry to track and kill wolves.

## Friends of Animals sued

In addition to sponsoring Haber's aerial reconnaissance, Friends of Animals tried to head off the Board of Game during the three weeks before the summer meeting by mailing a warning of the impending wolf massacre to 150,000 eco-tourists; sent a boycott alert to 2,000 animal protection groups; sent postcards preaddressed to Alaskan officials to all FoA members; and published advertisements protesting the official proposals in the June 17 issues of *The New York Times* and *USA Today*.

Designed and placed on June 2, the ads said, "Hunters will track radio-collared wolves from the air as they are returning to their dens. Shooters will then land and stake out the dens—and kill wolves as they return to care for their pups. Orphaned pups will die slow deaths from starva-

(Photo by Kim Bartlett)

preferring to fight the case in Connecticut rather than 4,000 miles away, where presenting a defense would be more costly. Feral gave her time allotment to Haber and stayed home. At the **ANIMAL PEOPLE** deadline FoA still hadn't been served, and even the *Anchorage Daily News* and pro-hunting talk show host Morton Downey Jr. were ripping Hickel for bad judgement in attempting to censor opposition.

Hickel's office acknowledged June 27 that the FoA wolf campaign was bringing in 1,100 cards and letters a day. As of July 1, however, wolf-related donations to FoA were still far short of meeting the campaign expenses.

## Alaska thumbs nose at boycott

Joining FoA on June 29 in a renewed tourism boycott, as the Board of Game strategy moved toward finalization, were the Alaska Wildlife Alliance, In Defense of Animals, Wolf Haven International, and the North American Wolf Foundation. The Fund for Animals, which joined last winter's boycott almost a month after the other major participants, didn't mention the possibility of a renewed boycott in two pro-wolf ads placed in the June 25 *New York Times*, but then joined the boycott on July 1

Alaska Wildlife Alliance and Wolf Haven International.

The object is to increase the Delta caribou herd, which inhabits 20-A, from the present 4,000 animals to between 6,000 and 8,000 by 1998. At that level, sport hunters, who have been barred from shooting caribou in 20-A since 1991, would be allowed to kill 300 to 500. Alaskan officials claim the herd is in steep decline due to wolf predation, since it included as many as 10,700 animals circa 1980. However, the normal population of the Delta herd over the past 60 years has been no more than 6,000 to 7,000.

Seeking to build support for wolf control, the Alaska Department of Fish and Game on June 4 released statistics showing apparent high predation mortality among Delta herd caribou calves. But the Fish and Game statistics also showed that in May of this year, only 30% of the Delta herd caribou cows were pregnant, down from 85% to 95% during the "normal" decade 1979-1988. The low fecundity negates the significance of the predation mortality rate, since fewer calves being born means fewer for the wolves to hunt, and a normal or even reduced number of wolves could accordingly kill a high percentage without actually killing any more than they did a few years earlier. Further, the low fecundity establishes that predation is not primarily responsible for the caribou population decline. Probable causes could include poor winter forage, noted by Haber, which

tion and wolf families will be shattered. Later, hundreds more wolves will be shot from airplanes."

Tipped off that the ads were scheduled, the Alaska Department of Fish and Game on June 8 issued a press release withdrawing its requests for permission to kill wolves as early as July 1, when mothers would still have dependent cubs, and to kill wolves from aircraft. But by law the Board of Game was still obliged to act upon the original proposals, if only to discard them, and the new Fish and Game proposals, essentially those the board adopted, had not been introduced with proper notice.

FoA went ahead with the ads as written. Alaska governor Walter Hickel immediately directed state attorney general Charlie Cole to sue FoA for libel, calling the group "an unethical fringe of fanatics who think they are above the truth," adding that the whole purpose of the ads was to make money. On June 22, Cole filed suit against FoA in Anchorage Superior Court, said he would ask the U.S. Postal Service to investigate FoA for mail fraud because the ads included a one-line funding appeal, and also said he would ask the Connecticut attorney general to investigate, since FoA is based in Norwalk, Connecticut. Cole apparently expected to serve the suit on FoA president Priscilla Feral when she arrived in Fairbanks on June 26 to testify to the Board of Game in opposition to wolf-killing. However,

minutes after the Board of Game meeting ended.

Defenders of Wildlife and the National Parks and Conservation Association, heavy hitters in last winter's boycott, were still reviewing their options as **ANIMAL PEOPLE** went to press. Strategically awkward considerations for Defenders and the NPCA are that the current Alaskan wolf-killing quotas are only slightly higher than the 122 wolves killed by the federal Animal Damage Control Program in Minnesota during 1992, where wolves are an endangered species, and that the Alaskan rationale for wolf-killing is identical to that of the Yukon Territory, in Canada, where 60 to 70 wolves have been shot from aircraft so far this year, also purportedly to boost caribou numbers. While animal protection groups have also opposed these wolf massacres, the conservation groups have held back.

Alaska Division of Tourism director Connel Murray told **ANIMAL PEOPLE** that the renewed boycott would flop. "My correspondence showed that the overwhelming objection of most persons was toward aerial control," Murray said. "With this threat eliminated, support for a boycott is bound to fade. The timing works to our advantage, since our tourism programs for this year are in effect completed." Further, Murray added, "Our experience in major consumer shows has led us to conclude that there has actually been very little knowledge of, or interest in, game management in Alaska."

Nonetheless, the Division of Tourism opened a major promotion in New York on June 23. Alaskan tourism was up 16% this summer, but at a cost, as Holland America and other cruise lines brought in late bookings by cutting fares to nearly half price.

The Alaska legislature, dominated by pro-wolf-killing Republicans, meanwhile warned the tourism industry not to again oppose wolf-killing, slashing funding to the Alaska Tourism Marketing Council by \$500,000 and threatening to altogether abolish the public/private body, whose work parallels that of the Division of Tourism.

"The question that I have to concern myself with is the appropriate use of state monies," said House State Affairs Committee chair Al Vezey. "Are we using state monies to fund organizations that are really trying to prevent us from protecting what most Alaskans feel is a quality of life issue?" In fact, polls show most Alaskans oppose wolf control.

—Merritt Clifton

**Alaska governor Walter Hickel may be addressed at P.O. Box 110001, Juneau, AK 99811. Division of tourism director Connel Murray may be addressed at P.O. Box 110801, Juneau, AK 99811.**

## Wolf Hollow

**IPSWICH, Massachusetts**—One of the newest and smallest of the groups fighting to save Alaskan wolves is the North American Wolf Foundation, the lifelong dream of retired clamdigger Paul Soffron and his wife Joni. Incorporated in 1988, NAWF opened a 5-acre wolf sanctuary two years later in the back yard of the coastal Massachusetts home where Paul grew up. Funding thus far comes mainly from the Soffrons' savings, sympathetic relatives, and the sale of Paul's art prints and other wolf-related merchandise to the visitors who crowd the facility every afternoon throughout the summer to see and learn about the only grey wolves in New England.

The NAWF pack began with a pair obtained from Wolf Park, a similar but larger sanctuary run by wolf researcher Erich Klinghammer in Battleground, Indiana. Wolves born at Wolf Hollow, as the Soffrons call their sanctuary, are in turn sent to other members of a growing sanctuary network. Because of limited space and the need to do face-to-face public education, many of the sanctuaries superficially look much like roadside zoos. But the sanctuararians aren't in it for the money, and their hope is that there will some day soon be a place where at least some of the wolves can run free. (For info about NAWF, send SASE to Rt. 133, Ipswich, MA 01938.)

—Merritt Clifton. Photo by Kim Bartlett.

# Wildlife

**British and Danish mammologists** have confirmed the discovery of a previously unknown hooved animal in the Vu Quang Nature Reserve of northwestern Vietnam, along the Laotian border. Dubbed *Psuedoryx nghetinhensis*, the animal resembles a cow, is about the size of a goat, and has antelope-like horns. *Psuedoryx nghetinhensis* is the biggest new land animal to be found in more than 50 years.

**An investigation of the cash value** Pennsylvanians would assign to various wildlife-related experiences, upcoming in *The Journal of Environmental Management*, found a day of fishing assessed at from \$4.80 to \$53.40, depending on the site, while a day of bird-watching would go for \$15.00, and the chance to view an elk at close range would fetch \$24.52. The prices are over and above the actual cost of the activity. Sponsored by the U.S. Forest Service and Trout Unlimited, the study may be used in estimating the value of wildlife habitat in pollution-related legal settlements.

**Effective July 1**, Louisiana requires wildlife refuge hikers and bird-watchers who don't have a hunting or fishing license to carry a non-consumptive use permit priced at \$5.50.

**The University of Washington** Animal Care and Use Committee has authorized a team led by Burke Museum bird curator Sievert Rohwer to kill as many as 1,200 birds and small mammals on a collecting trip to Siberia this summer—mainly by squeezing them to death. Rohwer's team killed 800 animals on a similar trip last year.

**Eighteen European wolf protection groups** totalling 30,000 members met May 22-23 in Liege, Belgium, to form an umbrella group, the European Federation for the Wolf—just in time to help lead the boycott of Alaskan tourism called to protest the state's wolf control plan.

**Faced with losing 18,000 Navy-related jobs** due to the threatened closure of several obsolete mine-sweeper bases, the city of Charleston, South Carolina, hired a team of lawyers and public relations experts to attack Naval Station Ingleside, a brand-new \$440 million minesweeper base near Corpus Christi, Texas, for allegedly posing a threat to at least four endangered

# HUNTING & FISHING

**The Illinois Department of Agriculture in June banned captive pigeon shoots** on advice of the state attorney general, bringing its policy into line with the state Humane Care for Animals Act of 1973 and a January 1992 amendment to the state Conservation Code. The ban was a major victory for anti-pigeon shoot activist Steve Hindi, of Plano, Illinois, who has struggled since 1990 to get enforcement of the laws against pigeon shooting.

**The Fund for Animals has announced that it will not protest** against the annual Fred Coleman Memorial Labor Day Pigeon Shoot in Hegins, Pennsylvania, this year. Major protests orchestrated by the Fund and PETA in 1991 and 1992 backfired when they became confrontational. Nearly twice as many shooters and shoot supporters attended the Hegins shoot last year as before the Fund got involved, possibly attracted by the chance an activist might get killed in the act of rescuing a bird. The Coalition Against Live Bird Shoots in Pennsylvania will hold a smaller protest this year; details have not yet been announced.

**The Michigan Natural Resources Commission** voted June 11 to commence an open season on foxes, raccoons, and coyotes, despite the risk of orphaning young if mothers are killed in spring. Opposing the actions, Port Huron resident Cynthia Bostwick pointed out that the commission had no statistics on coyote numbers, only one written complaint from a farmer about coyote predation, and no evidence that hunting controls coyote numbers; in fact, the average coyote litter size increases from 4.3 pups to 6.9 pups in areas where they are heavily hunted, according to a 1973 study done in Texas.

**The Jackson Hole News** on June 2 published allegations from two witnesses—after-the-fact that hunter Jerry Kysar, an opponent of wolf reintroduction in Yellowstone National Park, knew what he was doing September 30, 1993, when killed a wolf in Fox Park, a part of the Yellowstone ecosystem. Kysar shot the animal, the first wolf positively identified in the region in half a century, shortly after an apparent wolf was videotaped in nearby Hayden Valley. Establishing the presence of a native wolf population could slow or halt the reintroduction plan.

**Authorities on Manitoulin Island** in Providence Bay, Ontario, are blaming resort construction in deer yards for causing up to 200 deer/car collisions per year, but resi-

*Pigeon shoot fans, Hegins, 1992. (Photo by Merritt Clifton.)*

dents who feed deer to insure plentiful targets for hunters each fall may have more to do with it. The island has about 11,000 year-round residents, an estimated 20,000 deer, and attracts 9,000 hunters per season.

**The Williston, Vermont, branch of the Hudson Paper Co.** donated paper for permits and Villanti & Sons Printers of Williston donated printing to help the state Fish and Wildlife Department hold a moose hunt this fall, even though the legislature on March 31 rejected a bill to set a moose license fee. The Fish and Wildlife Board voted May 19 to hold the season anyway, despite the lack of the budget the license fee would have raised.

**Responding to the continuing loss of waterfowl to lead poisoning**, the Environmental Protection Agency on June 24 announced it will follow up the gradual ban on lead shot imposed in the mid-1980s with a ban on lead fishing sinkers. Ducks and geese commonly ingest shot and lose sinkers as they feed in shallow water.

**Studying results of six catch-and-release bass**

species—none of which are actually at risk, according to wildlife experts. The outcome is still in doubt.

**China banned trade in rhinoceros horns and tiger bones** on June 5. If enforced, the ban will bring Chinese law into line with the Convention on International Trade in Endangered Species. China banned tiger hunting nearly 30 years ago, and ratified CITES in 1981, but the widespread practice of traditional Chinese medicine has maintained a strong market for rhino horn and tiger bones, among other wildlife-based remedies. The same day Taiwan, widely suspected of being a major conduit for smuggling rhino horn into China, burned 19 rhino horns and 1,640 pounds of elephant ivory valued at \$384,000. The horns and ivory were seized by customs inspectors last year. While Taiwan banned the import of rhino horn in 1985, dealers are allowed to continue selling any rhino horn they already had in stock until the end of this year.

## Performing Animals

**Anti-cruelty laws in most states** do apply to animals at state and county fairs, carnivals, and circus, reminds Vermont Volunteer Services for Animals humane officer Sue Skaskiw. If you see cruelty, including live animals being offered as prizes, report it.

**Christopher Ponte, 22, of Wappingers Falls,** New York, climbed a four-foot-high plastic fence at the Fishkill Mall in nearby Fishkill on June 6 to get into an enclosure with 10 elephants belonging to the Clyde Beatty-Cole Brothers Circus. He was crushed to death when one of the elephants turned, pinning him against a truck.

**At least two pig-racing concessions** are on the county fair circuit this summer—Triple W Racing Pigs, run by Wanda, Rachel, and Gene Webber of Shelby, North Carolina, and Bob Hale Pig Racing Stables of Sikeston, Missouri.

**FRIENDS OF ANIMALS' Washington D.C.-based lobbying arm, the COMMITTEE FOR HUMANE LEGISLATION, seeks a fulltime legislative representative.** Must have legislative/political experience plus background in humane and environmental issues, be well-organized, resilient, self-motivated, good written and verbal communicator, quick to learn, friendly and outgoing. Salary \$30,000. Deadline for resumes: August 15, 1993. Send to the attention of:

**Priscilla Feral, President**

**FRIENDS OF ANIMALS**

**P.O. Box 1244, Norwalk, CT 06856**

# Habitat

**Eighty percent of the remaining old growth forest in the Pacific Northwest** would be protected from logging under a plan to protect endangered spotted owls and salmon runs unveiled July 2 by President Bill Clinton in response to rulings by Federal District Judge William Dwyer of Seattle that have restricted logging for nearly three years. During the halt, the logging workforce has declined from 145,000 to 125,000. The protected zones would run along watersheds. Loggers would be allowed to cut about 1.2 billion board feet of old growth per year in less sensitive areas, down from five billion board feet in the mid-1980s. While most of the plan does not require Congressional approval, it must be ratified by Dwyer before any old growth logging on the land covered by his decisions can resume. Dwyer's decision, based on the provisions of the Endangered Species Act, is due in mid-July. The Clinton plan, drafted with heavy input from Interior Secretary Bruce Babbitt, drew immediate flak from House Speaker Thomas Foley, who indicated he might cross party lines in an attempt to gut the ESA when it comes up later this year for renewal.

**Pollution has damaged more than 10%** of the world's wetlands, 1,300 delegates were told June 9 as the 77-nation Convention on Wetlands of International Importance as Waterfowl Habitat got underway in Kushiro, Japan. Another 30 nations joined in the convention as observers.

**The Exxon Oil Spill Settlement Trustee Council** has authorized the purchase of 42,000 acres on Afognak Island, Alaska, to protect bald eagles and endangered marbled murrelets. The \$38.7 million deal is the biggest allocation yet from the \$900 million Exxon Valdez liability settlement.

**Ten years after the government of India** began trying to merge three wildlife sanctuaries in the foothills of the Himalayas into a single 512-square-mile national park, the plan is still stalled by opposition from the Gujars, a tribe of cattle herders who have claimed the right to graze their animals in the protected forests since they were brought to the area as part of a princess' dowry more than 200 years ago. Indian wildlife officials claim Gujar overgrazing is causing the 400 elephants who inhabit the proposed park to destroy almost a tree apiece per day to feed themselves.

**fishing tournaments** attracting 500 to 700 entrants apiece. Mississippi State University researcher Steve Miranda has discovered that about 10% of the fish die immediately after release, while another 10% die of related stress later.

**The Consumer Product Safety Commission** on June 9 recalled 83,000 electric worm probes, blamed for electrocuting at least 30 anglers since 1973.

**Ohio state senator Ben Gaeth** (R-Defiance) said June 20 that he probably wouldn't resume efforts to open a dove season in the state until next year. Even if Gaeth had the two more votes needed to pass the dove hunting bill, it couldn't take effect in time to allow dove hunting this fall.

**The state of Louisiana auctioned more than 300 trophies** from the Curley Miller Wildlife Museum in Houma on June 19 to cover tax bills the late Miller ran up while improperly claiming deductions for "donating" the trophies to the state. An oil millionaire, Miller reputedly hunted 11 months a year until his death in 1989 at age 61.

**Correction:** A typographical error in our June issue confused the identities of Illinois Rifle Association executive Kevin Walker and *Michigan Outdoor Journal* columnist Roberts Howard the second time Howard's remarks were mentioned in describing a May 2 Compuserve Pets Forum computer network exchange between the two of them. In the exchange, Howard told Walker to quit arguing with anti-hunters, because, "Actions speak louder. Next time you are harrassed while hunting," Howard went on, "look around and be certain you are not observed and buttswipe the malefactor. Place unconscious form on ground. Retire quickly...Remember, even Jesus advocated carrying sword under proper conditions." One John F. Tamburo responded, "Why break a perfectly good weapon? Take aim and use the gun as it was designed." Walker objected to both suggestions.

## ANIMAL PEOPLE

*thanks you for your generous support:*

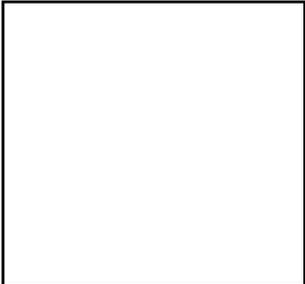
Animal Rescue League / Grace Froelich,  
Alice Aronson, Betty Bury, Sue Clark,  
Sharon Cregier, Eileen Crossman, Lynette Eliton,  
Elizabeth Fitzpatrick, Humane Society of Charlotte,  
Marcia Hutchinson, Joyce Pollack,  
Gina Lee, Vivian Lindley, Denise Nyars,  
Ruth O'Brien, Jamaka Petzak,  
D.E. Reynolds / Animal Protective Association,  
Peter & Mary Stone Foundation,  
and Murray Weiner.

# EIGHTH ANNUAL INTERNATIONAL COMPASSIONATE LIVING FESTIVAL

ENLIGHTENMENT  
ENTERTAINMENT  
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Friday through Sunday, October 1-3, 1993  
Raleigh, North Carolina

FEATURING

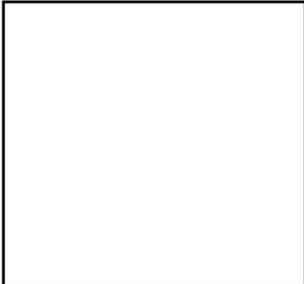


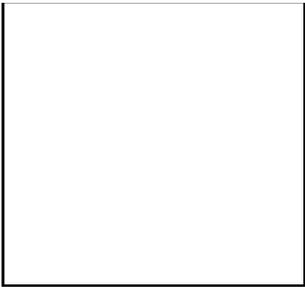
CAROL ADAMS  
Feminist Theorist

*Feminist Theory  
and Animal Rights*

JAY McDANIEL  
Theologian

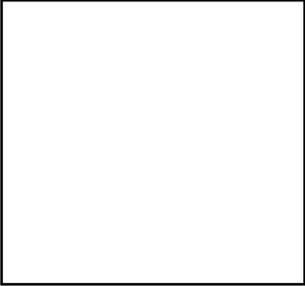
*Theology of Reverence  
for Life*





**RIC O'BARRY**  
Activist/Author

*Behind the Dolphin's  
Smile*



**ADRIAN PIPER**  
Artist/Philosopher

*Exhibition Opening:  
Selected Works*

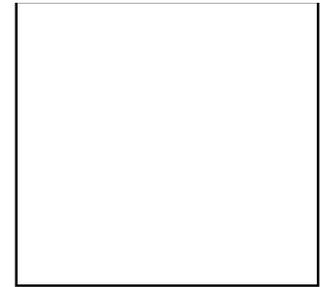


**TOM REGAN**  
Activist/Author

*How to Flush Rush*

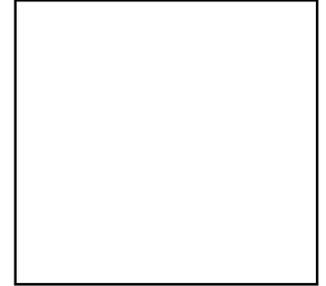
**BARBARA TRINKAUS**  
Musician

*Songs for the Animals*



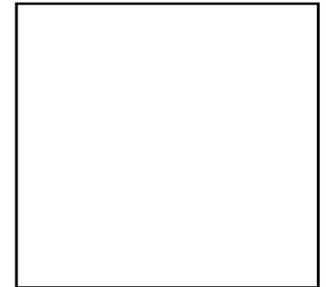
**ANTLER**  
Poet

*The Many Faces  
of Compassion*



**LISA FINLAY**  
ANGFAR Coordinator

*Progressive Movements  
on Today's Campuses*



- **RICHARD FOX:** *Nonviolence and Social Justice*
- **STUART MARKS:** *Hunting Rituals and Race*
- **GOURMET VEGAN FOOD**
- **CRUELTY-FREE EXHIBITS**
- **BLESSING OF THE ANIMALS**
- **RAFFLES**
- **DANCING**
- **AND JUST PLAIN FUN**

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Dog logo

# The Watchdog

*The Watchdog monitors fundraising, spending, and political activity in the name of animal and habitat protection—both pro and con. His empty bowl stands for all the bowls left empty when some take more than they need.*

## Who's in charge at the National Humane Education Society?

**FOUNDER, 83, TAKES NO PAY; FUNDRAISER TAKES \$512,909**

**LEESBURG, Virginia**—The history of the National Humane Education Society is in microcosm the history of the humane movement in the 20th century—and perhaps that's the problem.

Financially struggling for 37 years, NHES contracted with the fundraising firm Steve Cram and Associates in July 1986. Tear-jerking direct mail campaigns increased revenue from \$852,007 in fiscal year 1986 to \$2,230,076 in fiscal year 1990: almost a three-fold jump. The growth in revenue enabled the three NHES no-kill shelters to more than double the number of animals in their care, from circa 300 to the present 800. But expenses in connection with fundraising have claimed an increasingly large share of the income: 39% in 1990, and as much as 52% in fiscal year 1992.

Despite the increasing expenditures for fundraising, the rapid growth would appear to be over. Receipts of \$2,266,410 in 1992 barely kept pace with inflation. In fact, NHES founder Anna Briggs loaned the group \$30,000 to help it make ends meet.

Cram collected \$70,117 in 1990; \$512,909 in 1992. Some of the difference may result from costs associated with direct mail being passed through Cram in 1992 instead of directly to other contractors.

Attorney and board member William J. Kropp has also enjoyed a rapid rise in income. Hired on February 16,

Society is now conducting its 1993 (name of city) Annual Fund Drive." Such appeals, also used by some other national organizations with similar names, are often misidentified by recipients as requests for money which will be used to assist local shelters.

### *Misleading financial report*

Many other questions arose after an inspection of recent NHES tax filings. The 1992 financial report the group filed with the New York Department of State omitted any answer on the line asking how much it spent on "Public information combined with fundraising." Yet on page 6 of the NHES financial statements, which prospective donors requesting the one-page financial report wouldn't normally see, NHES acknowledged that, "In 1992, the Society incurred joint costs of \$959,791 for informational materials and activities that included fund raising appeals. Of those costs, \$233,788 was allocated to fund raising expense \$726,003 was allocated to Program Services expense and nothing was allocated to Management and General expense."

The one-page financial report also claimed that NHES spent only that \$233,788 on fundraising, whereas the NHES Statement of Functional Expenses and Part II of NHES IRS Form 990 Schedule A both acknowledged the

*Dog dealer Noel Leach claims in his lawsuit that a Friends of Animals undercover investigator had to be on his property to take this photo of his kennel in mid-1990. We don't know where the property line is—but we do know this image, small as it appears, is 16 times the size of the image on the original 3x5" print.*

## WOOFS AND GROWLS

**USDA-licensed Class B animal dealer Noel Leach** of Chase City, Virginia, facing disciplinary action for 46 alleged violations of the Animal Welfare Act, sued Friends of Animals on May 24 for purportedly defaming his character and interfering with his business relationships in connection with bringing many of the alleged violations to the USDA's attention. Leach claims FoA undercover investigators trespassed on his property while gathering evidence. FoA attorney Herman Kaufman responded to the suit with a request for dismissal, pointing out that the action is based on an alleged tort in 1990 for which the statute of limitations is just two years, and that the statute of limitations in defamation cases in Virginia, where the suit was filed, is only one year. Well known to USDA inspectors, Leach was rapped for six previous AWA violations in 1983. His primary business is selling dogs and cats to research labs and dissection supply firms.

**A letter bomb that injured a leading geneticist** on June 23 had nothing to do with animal rights activism, the FBI said on June 25 after identifying "signatures" that

*(continued on next page)*

Shirts by Bob

1989, for a monthly retainer of \$1,100 plus \$55 an hour for services over 20 hours. Kropp received \$53,072 in 1990, and \$70,077 in 1992. At \$55 an hour, which is not unusually high for a lawyer, Kropp would now be working at least halftime for NHES, but his duties are still just "as needed," according to tax forms.

### *Tactics annoy other shelters*

Neither Anna Briggs, 83, nor anyone else at NHES responded to a set of detailed questions about the organization's financial affairs, faxed to the NHES offices on June 25, ten days before this issue of **ANIMAL PEOPLE** went to press. Nor was an **ANIMAL PEOPLE** reporter successful in repeated attempts over a five-day period to contact Briggs directly to find out just how much she knows about direct mail fundraising efforts that have drawn cries of "Foul!" from hundreds of miles beyond the radius served by the NHES shelters—which besides "humane education" undertaken in connection with direct mail fundraising are virtually the whole NHES program.

The initial controversy, brought to **ANIMAL PEOPLE**'s attention by the director of a well-reputed regional humane shelter, was an appeal letter dated May 12, 1993, that opened, "The National Humane Education

Paws for Thought

\$512,909 payment to Cram, explicitly for professional fundraising services. Accordingly, it would appear that NHES underreported its fundraising costs in the financial report by more than half.

NHES reported spending \$904,371 on humane education, of which the above-mentioned \$726,003—80%—was admittedly spent in connection with fund raising. Further, \$421,562 of that amount was expressly identified as the cost of "professional fundraising" in the Statement of Functional Expenses.

Reallocating the \$726,003 from the Program Services line of the financial report to the Fund Raising line to get a more accurate picture of the balance of costs, one finds that only 48% of NHES expenditures were *not* in connection with fund raising. National Charities Information Bureau and Better Business Bureau guidelines require respectively that 60% and 50% of expenditures be separate from fund raising.

### *Anna Briggs*

Anna Briggs, according to staffers, is still firmly in control of NHES, despite some appearances to the contrary. Her life's work is not in question, nor is the standard of care afforded to the estimated 700 cats and 50 dogs at the three NHES shelters. Briggs has spent almost her whole life in humane work, accepts no salary, and still lives on the

*(continued on next page)*

Shelter Gang ad

# What does the National Humane Education Society teach?

(continued from previous page)

premises of the shelter in Leesburg, Virginia. As she recounted in her 1990 biography, *For the Love of Animals*, she spent much of her childhood in St. Vincent's Orphanage in Washington D.C., at a time when in the absence of a governmental "safety net," homeless children were as much the responsibility of charitable institutions as homeless animals. In January 1925, the young woman met Humane Education Society founder James Briggs, when she was obliged to give away a beloved pet dog.

James Briggs, many years her senior, had begun HES in 1920, on the 80-acre Be Kind to Animals Rest Farm. A noted crusader against trapping, vivisection, and other abuses, James influenced Anna to become a vegetarian; made her his driver when she got her driving license later that year, a rarity then for a 15-year-old female; and married her on her 18th birthday, December 9, 1927.

## Origins

They lost the Be Kind to Animals Rest Farm in 1932, the depth of the Great Depression, but the Bide-A-Wee Home in New York accepted 150 of their 200 dogs, and they managed to adopt out the rest, along with 70 cats. They continued in humane work, as Anna volunteered regularly for the Animal Protective Association shelter. The shelter director was Virginia Sargent, in whose honor James and Anna named their daughter, born in 1937. James Briggs died on September 8, 1945, after delivering an antivivisection speech in Philadelphia. Sargent then hired Anna as her bookkeeper. When Sargent was obliged to close the APA shelter in 1948, Briggs sold her home, using the receipts to found the National Humane Education Society in partnership with Alice Morgan Wright. From 1948 until 1965, NHES ran a shelter called the Peace Plantation in Sterling, Virginia; relocated to the present Leesburg site after Briggs retired from a government job she'd taken to make ends meet; and added the present Peace Plantation in Walton, New York, in 1983. This

facility, the NHES flagship, is managed by Briggs' daughter Virginia and her husband Earl Dungan. NHES also runs a small shelter in West Virginia called Heart's Haven.

## Costs and salaries

Of the 750 animals in the NHES facilities, approximately 700 are cats. NHES expenditures on animal care, veterinary bills, caging, and other items directly connected with the maintenance of the animals are closely comparable with the same line items as reported by other major no-kill shelters: around \$450 per animal per year, or \$1.25 per animal per day. (Per day expenses for animals in conventional shelters run considerably higher, because the greater portion of veterinary and other service costs are associated with arrivals and euthanasias.)

However, when fund raising and management expenses are taken into account, NHES is spending \$2,968 per animal, 7.5 times as much as the most closely comparable organization **ANIMAL PEOPLE** could identify, a no-kill shelter housing almost exactly the same number of cats, circulating a comparable amount of humane information, maintaining similar physical facilities with almost the same ratio of staff to animals.

The salaries paid to Virginia and Earl Dungan account for only small part of the difference. Virginia's salary of \$39,815 and Earl's of \$43,098 are both substantially above the U.S. median for paid animal shelter managers of \$32,173—and these salaries are combined with significant fringe benefits including the apparent use of vehicles that cost NHES \$99,316 in 1990 and \$15,007 last year. (The 1990 figure included the purchase of a truck.) Both have received pay raises of approximately \$10,000 over the past two years. On the other hand, their compensation is still within the normal range for the work, their tenure is long, and although private shelters in New York state are not subject to humane inspection by any public agency, visitors report that the Peace Plantation facilities compare well with most other no-kills. The cats are kept in

two former farmhouses, where tame cats have the run of comfortable downstairs rooms and ferals occupy open rooms upstairs, where they have less chance of escaping to the outdoors. The buildings are said to be odor-free and clean, despite a recent problem with the septic system.

No other NHES employees earn more than \$30,000 a year.

## Professionalism v. volunteerism

That leaves the cost and uses of fundraising as the big question. NHES is not the first animal protection group to become a vehicle for big-money fundraisers after establishing a good reputation through decades of frugal management by dedicated and self-sacrificing activists. Nor is it likely to be the last. Nonprofit financial management is now a business specialty, not just something an executive director does along with the work the organization was founded to do. In a growing number of organizations, the executive directors are now hired for their business skills, not for their knowledge of and commitment to the cause. An advanced degree counts for more than a history of effective volunteerism.

As professionals, fundraisers, attorneys, and other nonprofit financial managers expect to be compensated at rates competitive with the governmental and for-profit sectors. This expectation becomes problematic when the financial managers become the guiding influence on the organization—when founders die or become incapacitated, and boards of directors who often have had little to do with day-to-day operations turn for help to the people on the payroll who know the most about the matters of which board members typically know least.

That's when an organization runs the risk of operating not so much to serve the purpose for which it was founded, as to serve the personal interests of the managers who figuratively inherit it. And that's when informed donors may start looking elsewhere.

—Merritt Clifton

## Woofs and growls, continued:

linked the bombing to 13 similar crimes committed against individuals in a variety of high-tech fields, including a computer

Public Health on May 31. Johns Hopkins spokesperson Carol Varma said they got only four dogs and three cats.

the sale of hunting and fishing licenses to the Wildlife Conservation Fund, an arm of the pro-hunting Wildlife Legislative Fund of

Aid-el-Kebir feast—a holiday in France as well as in Islamic nations, in deference to the growing French Islamic population. The

scientist who was bombed the very next day. The June 24 victim, Charles Epstein, M.D., of the University of California at San Francisco, had done minor experimentation on mice, and an Animal Liberation Front action was briefly suspected after investigators discovered the bomb parcel was post-marked Sacramento, a suspected hub of ALF activity. Epstein lost several fingers. The string of bombings, begun in 1978, has injured 22 people, maiming five and killing one. Only one previous victim, a psychology research assistant in Ann Arbor, Michigan, had even a tenuous connection to animal-based research.

**A previously unknown group** calling itself Students Against In Vivo Experiments and Dissection claimed to have taken five dogs, three cats, and 10 rats from an allergy lab at the Johns Hopkins University School of Hygiene and

**Losing recent gun control battles** in the legislatures of Virginia and New Jersey, the National Rifle Association took another hit June 9 when Connecticut banned semi-automatic assault rifles. The bill cleared the state senate despite an NRA-backed attempt to kill it with amendments making it tougher, including a specific ban on the Colt Sporter; 47% of the Colt company is owned by the Connecticut state pension fund. The NRA did, however, kill a ban on assault rifles adopted by the city of Philadelphia, as the Pennsylvania state senate voted 45-2 on June 3 to take away the city's authority to regulate guns. Of the 48 Pennsylvania state senators, 38 have "A" ratings from the NRA, which is why the Hegins pigeon shoot won't be outlawed.

**An amendment to the Ohio Department of Natural Resources budget** that would have given a 25¢ surcharge on

America, has been re-amended to distribute the surcharge among a variety of conservation groups—and the WLFA is now trying to kill it from fear that some of the money might go to anti-hunting organizations.

**Veterinarian Richard Blease**, founder of the New Jersey anti-animal rights group Common Sense for Animals, has been disciplined by the USDA four times since 1980 for improperly manufacturing and distributing veterinary drugs, through a mail order business serving veal farmers, and has been convicted of related offenses at least three times in federal court. The New Jersey Board of Veterinary Medical Examiners has nonetheless allowed Blease to continue his practice.

**French film star and animal protection activist Brigitte Bardot** touched off a furor May 31 by blasting Islam as well as the ceremonial slaughter of sheep during the

sheep slaughter is not a sacrifice, which would be forbidden under Islamic law, but rather a custom similar to the slaughter of turkeys at U.S. Thanksgiving. Bernard d'Ormale, Bardot's fourth husband, is a close associate of National Front Party leader Jean-Marie Le Pen, who has called for expelling Arab immigrants from France.

**Irrked by mailings protesting wolf control**, Senator Ted Stevens (R-Alaska) has introduced a bill to bar advocacy groups from using nonprofit postal rates to solicit donations.

**While groups including the American Humane Association and the Fort Lauderdale Dog Club** struggle to pay off the cost of last year's Hurricane Andrew animal rescue effort, Bill LaMac of Pet Stones Memorial Products in Matamoras, Pennsylvania, is soliciting funds with which to erect a monument to the pets who died.

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# Animal Control & Rescue

**New Hampshire has followed New Jersey and Connecticut in establishing a statewide low-cost neutering program.** The New Hampshire program, managed by the state department of agriculture and funded by a \$2.00 surcharge on dog licenses, will subsidize neutering animals adopted from shelters and those belonging to people of low income.

**The percentage of purebreds** among dogs received by pounds and shelters appears to be edging up, e.g. from 22% in 1991 to 25% in 1992 at the SPCA of Monterey County, California, which keeps some of the most comprehensive records on purebreds. Other shelters claim to be receiving as many as 30% purebreds. The percentage may be up simply because total admissions are generally down while the number of dogs surrendered by owners is holding even, and owned dogs are more likely to be purebred.

**Humane activists in Dallas, Texas, are cracking down on backyard dog breeders** by reporting suspected tax evaders to the Internal Revenue Service and by participating in the Volunteer Opportunities in Code Enforcement program of the Dallas Department of Housing and Neighborhood Services. VOICE authorizes volunteer citizens to help enforce zoning, construction, and sanitation codes as inspector assistants, researchers, and case-workers, who help code violators to bring their premises up to standard. Applicable Dallas ordinances include bans on home-based retail businesses; commercial animal-rearing on sites of less than three acres; the sale, adoption, or giveaway of dogs or cats from unauthorized sites; and a limit on yard sales of two per year, none to last more than three consecutive days. Any sale from a residence is considered a yard sale. Breeders are identified via their advertising. While the Dallas push is relatively new,

**The Metro Animal Control Shelter** in Birmingham, Alabama, was scheduled to close July 2, after the City of Birmingham refused to renew funding of \$600,000 for the facility, which also serves Jefferson County and nine suburbs. Pending a last-minute reprieve, all staff were to be laid off, and most of the animals in custody were apparently to be euthanized.

**More than a year after the Newnan Times-Herald** revealed that three dogs had been cannibalized at the Newnan city pound, pound conditions have actually deteriorated, according to recent follow-ups. The pound reportedly lacks appropriate fencing, running hot water, wind barriers, and winter heating; impounded dogs allegedly sleep in their own feces; and the use of drugs for euthanasia is restricted because labor is supplied by jail inmates.

**The 1993 Meacham Foundation grants** for animal shelter improvement have been awarded to the SPCA of Monterey County and the Humane Society of Humboldt County, in California; the Humane Society of Willamette Valley, in Oregon; and the Kitsap Humane Society and Bellingham-Whatcom County Humane Society and SPCA, in Washington. Recipients of the \$4,000 grants are chosen semi-annually by the American Humane Association (63 Inverness Drive East, Englewood, CO 80112-5117).

## Further gains against pet overpopulation

**Continuing to refine the data on pound and shelter admissions and euthanasias** as more complete state statistics become available, Phil Arkow of the Humane Society of Pike's Peak has revised his estimate of the current U.S. euthanasia toll, reported here in June, upward slightly to 5.7 million dogs and cats per year. This is still the lowest total ever discovered—and reflects the most thorough research. Arkow's estimate is based on the 1991 totals, the most recent available in most instances, from California (717,000); Colorado (69,766); Iowa (48,653); Massachusetts (79,500); Maryland (90,000); New Jersey (75,263); Oregon (79,713); Texas (597,591); and Washington (109,274). Together, these nine states include more than a third of the U.S. human population, and are demographically almost identical to the U.S. as a whole.

While the 1991 estimate isn't likely to change much, even with input from the remaining states, 1992 Washington statistics reported by the Progressive Animal Welfare Society show pound and shelter admissions declined 8.5%, to 165,786, while the number of dogs and cats euthanized fell 7.6%, to 101,579. The improvement could result from the publicity surrounding the King County anti-pet overpopulation ordinance adopted in early 1992, and may not be matched by gains elsewhere. If the improvement is a national trend, however, and if it continues, the national euthanasia total for 1992 may have been circa 5.3 million, and the number euthanized this year could dip below five million. The euthanasia numbers could rapidly rise again, however, if either the present rate of neutering declines or—perhaps in response to rabies panics—more animal control agencies are obliged to start picking up and euthanizing feral cats, over which most presently have no jurisdiction. There are an estimated 35 million feral cats in the U.S.

**Philadelphia** reputedly has the most rats per capita of any U.S. city: 1.6 million, one for each person. Sanitation officials blame the use of kitchen sinks to dispose of food waste and the popularity of bird-feeding. Even where rats can't raid the feed trays, they feast on spillage (and the eggs of any birds whose nests they find).

**City officials in Cairo, Egypt,** are putting out arsenic to kill an estimated seven million homeless dogs and cats,

along with 50 million rats. A similar slaughter several years ago brought a rodent population explosion, as rats, mice, and shrews replenished their numbers far faster than the dogs and cats who prey upon them.

**The House Rabbit Society** finds homes for abandoned rabbits and distributes information to assist rabbit rescuers. Membership is \$16/year. For details, write P.O. Box 49356, Los Angeles, CA 90049.

## Cats & Dogs

**The older men who get the most emotional benefit** from keeping pets are those who have the least free time, the most difficulties in personal relationships, and the most financial trouble, according to a newly published study by Ohio State University psychology professor Sara Staats—whereas the women who derive the most satisfaction from pets are those with the most free time and the most satisfactory relationships with other people. Staats' data came from a survey of 250 people over age 50. The findings appar-

pendents and 10 chains, \$3 c/o Quaker Professional Services, 585 Hawthorne Court, Galesburg, IL 61401; and Pets-R-Permitted, with 3,000 listings, \$11 c/o POB 3930, Torrance, CA 90510-3930. The American Hotel and Motel Association reports that 56% of its 10,000 members now accept dogs and cats.

**The Red Acre Hearing Dog Center** in Stow, Massachusetts, reportedly closed June 1 due to financial problems. Red Acre was the only facility in the U.S. that trained pound dogs

similar efforts in Denver have reportedly been successful for more than a decade. Advises Tawana Couch-Jurek, whose May letter to **ANIMAL PEOPLE** about hitting backyard breeders for tax evasion drew wide attention, "Contact your city's zoning enforcement department. Codes to look for cover home occupations and animal production. In most cities it is illegal to advertise a home-based business. Advertising is used as evidence in court against the alleged violator. You may look at the home occupation ordinances and not see the word 'animals.' That doesn't matter. A breeder may claim to breed animals as a hobby, but if there is money made, it is a business by law...The animal control department does not handle enforcement of these ordinances. Code enforcement is the department in charge."

**Michigan senate bill SB605**, awaiting action, would delete the phrase "beasts of another" from the state felony anticruelty statute, enabling felony prosecution of animal abusers whether or not the ownership of the victims is established. The amendment would make the bill potentially effective against Santerians, as well as individual animal serial killers. A second pending Michigan bill, SB189, would add "sanitary conditions" to the existing definition of "adequate care," as well as closing loopholes in the misdemeanor anticruelty laws.

**The Massachusetts House of Representatives** committee on Natural Resources and Agriculture has recommended passage of H5092, a bill to ban the private possession or sale of hybrid exotic cats and wolf hybrids. The bill is supported by the North American Wolf Foundation, based in Ipswich, Massachusetts, and profiled on page 8.

**Bills to make attending an illegal dogfight a misdemeanor** have cleared both houses of the Louisiana legislature, but differences must still be resolved before a final version becomes law.

**Because behavioral problems** are the leading cause of failed adoptions, the San Francisco SPCA now requires dog adopters to attend an obedience course.

ently reflect the role of pet as family member for women, contrasted with the role of pet as surrogate for family among many men.

**As the American Kennel Club discusses tightening registration** procedures to discourage speculative breeding, the two-year-old Continental Kennel Club courts breeders who may be pushed out—and those who never qualified for AKC registry in the first place. Billing itself as "The all-breed, hassle-free kennel club designed with the breeder in mind," the CKC "recognizes over 400 breeds," contrasted with the 137 breeds for which the AKC has accepted standards, "and has a miscellaneous section which allows the breeder to develop new breeds." This allows almost anyone to register almost anything, but in case it isn't easy enough, the registration procedure requires only the signatures of the registrant and two witnesses to affirm that the dog is purebred, plus the \$5.00 registration fee. There is no litter registration—the breeder just gives forms to whoever buys the puppies, to be mailed in at the buyer's convenience. Claims CKC literature, "Most authorities," none of whom are cited, "agree that modern dogs derived their ancestry through the wolf, the jackal, the fox, and the coyote. Today's dog is entirely a product of man's making through the crossing of these various lines and selective breeding." Wolves, jackals, foxes, and coyotes do share common ancestors with domestic dogs, but foxes are genetically unable to hybridizing with any of the others.

**The SmithKline Beecham pharmaceutical empire and private investors** have put \$6 million into founding International Canine Genetics, a canine semen bank located in Malvern, Pennsylvania. They hope that increasingly tough dog show competition, consumer interest in quality dogs, and pressure to halt backyard and puppy mill breeding will create a demand for artificial insemination among serious breeders, comparable to the demand among cattle breeders; just a handful of selected bulls now service virtually the whole North American dairy herd. Artificial insemination significantly extends the length of time a top stud may be used in breeding, thereby removing the owner's incentive to breed as often as possible while the stud is at prime.

**Two new guides list hotels and motels** that accept travelers with pets: *Touring With Towser*, with listings for 2,200 inde-

to assist the hearing-impaired.

**The U.S. government on May 29 auctioned** the Long Island Pet Cemetery to new owners, who are reopening it as the Regency Forest Pet Memorial Cemetery and building a monument to the countless animals whose remains were improperly disposed of by the previous owners, Samuel J. Strauss, 72, and his son Alan, 37. Both are now serving prison terms for fraud, while facing civil suits from more than 2,000 bereaved pet keepers.

**The Pet's Rest Cemetery & Crematory** in Colma, California, recently began billing the owners of pets buried more than 20 years ago for rent to cover the next 20 years. According to Knight-Ridder syndicate reporter Jeff Gottlieb, in one recent case the billing was two years late if indeed it was for the time period specified; the cemetery could produce no written contract with the bereaved specifying that the plot had been rented rather than sold; and the headstone for the dog in question couldn't be found.

**Assassin Christian Didier, 49**, who shot former Vichy police chief Rene Bousquet, 84, on June 8 in Paris, France, said he was able to perform the killing because Bousquet's German shepherd ran away instead of defending him—either terrified at the mere sight of a handgun, or, like many shepherds, demonstrating keen appreciation of human character. Bousquet was awaiting trial for deporting more than 76,000 Jews to Nazi Germany during World War II, only 2,500 of whom survived. Many of the victims were children, whose deportation the Nazis had not solicited.

**Russell Warren, 33, and his black boxer, Missie**, were struck June 1 by a hit-and-run driver near Bournemouth, England. As Warren lay on the pavement with multiple fractures, Missie, less seriously injured, picked herself up, ran more than a mile, and brought back help.

**Karen Lee-Glidden, 44**, of Gulliver, Michigan, screamed for help the night of April 6 when three men tried to abduct her. Paka, her two-year-old Malamute cross, "came flying out of the woods and grabbed the guy (who was holding her) by the right arm," she recalled later. "The guy hollered, 'Let's get out of here.'" The three men fled in their truck with Paka in hot pursuit.

**THE HUMANE SOCIETY OF BALTIMORE COUNTY IS SEEKING AN ADMINISTRATOR** for a progressive shelter, spay/neuter center and pet cemetery, with a staff of 20 employees. Required qualifications, which must be verifiable through reliable and objective references, are: in-depth shelter management knowledge as well as excellent "people-management," public relations and basic computer skills. Salary in \$20-30K range and includes health insurance and other benefits with an optional house on the premises. Send introductory letter with resume, references and all requirements, including availability dates, to: **Search Committee, Humane Society of Baltimore County, c/o Astroth, Serotte & Rockman, 409 Washington Ave. - Suite 610, Towson, Maryland 21204.** Response needed ASAP.

**EXECUTIVE DIRECTOR WANTED** for Humane Society of Tucson, a progressive, modern shelter with three spay/neuter clinics, \$1.4 million budget and 40 employees. Qualifications include 3-5 years experience as Executive Director or similar experience. Emphasis on financial management, planned giving, fund raising, public relations and advocacy at state and local levels for animal welfare. Must be humanitarian. Reports to Executive Committee and Board of Directors. Please send resume, three references and salary history before August 30, 1993, to **HST Search Committee, Korn Waterman, P.C., 33 North Stone Avenue, Ste. 2121, Tucson, Arizona 85701.**

# Estrogen therapy fills horsemeat slaughterhouses

**BRANDON, Manitoba**—Two new reports from the Canadian Farm Animal Care Trust affirm that the fast-growing estrogen drug market is driving the equally fast expanding Canadian horsemeat export trade—as **ANIMAL PEOPLE** reported in April, based in part on earlier **CANFACT** publications.

The Manitoba Animal Rights Coalition is asking other animal protection groups to join it in an international campaign to publicize the source of the increasingly popular "natural" estrogen replacement drug Premarine: PMU, the urine of catheterized pregnant mares, who are kept standing in barns from September to April of each year. This is the peak period for equine estrogen yield, coming in the fourth through tenth months of the mares' 11-month gestation cycle. Draft breeds are preferred because of their placid nature and greater capacity for producing urine.

CANFACT founder Tom Hughes once again gave the Manitoba-based PMU industry good marks for equine care in his second annual report on personal inspections of PMU farms. "Discounting the philosophical or moral question of whether mares should be used to produce urine for estrogen," he declared, "the fact remains that the mares used for this purpose receive a standard of care which is probably better on average than the care provided for many privately owned riding horses."

But Hughes, who was instrumental in shutting down the PMU industry in Ontario circa 1970 due to widespread horse abuse, was less sanguine about the fate of the foals who are bred to stimulate the mares' estrogen output.

"There is no doubt that the horse is now a farm animal raised for meat," Hughes wrote in the 1993 **CANFACT** annual report. "The best statistics we could obtain from the federal Department of Agriculture indicate that approximately 160,000 horses are imported each year to Canada from the United States to be slaughtered for human consumption. In addition, there are probably 75,000 foals produced annually by PMU farms." These foals, Hughes continued, "are sold at the average age of 120 days to be reared in feed lots. When these animals reach meat weight they are sold and slaughtered." Adding in an unknown but considerable number of surplus thoroughbreds, standard-breds, and pleasure horses, together with "an unknown

number of wild horses who are taken from the ranges of western Canada, often by cruel and inhumane methods," Hughes believes, "It would not be unreasonable to suggest that between 300,000 and 400,000 horses a year are killed in Canada for human consumption."

Although more horses go to slaughter from other sources, the plentiful and predictable supply of foals from PMU farms tends to stabilize the industry pricing structure, and therefore keeps it profitable.

## *Slaughter*

The horse killing plants are located in Lethbridge, Alberta; Owen Sound, Ontario; and Laval, Quebec. "From observations in those plants," Hughes' annual report continued, "we know that the horses are killed by shooting, and this method is considered reasonably humane." However, Hughes noted, "The horses suffer a considerable amount of distress in the final moments leading up to slaughter. It is hard to know how to eliminate this suffering, given the fact that horses are sensitive creatures who undoubtedly become aware that something very, very wrong is going to happen to them. Perhaps the design of the buildings is at fault. Perhaps the production line technique is at fault. Perhaps there should be a greater time lag between one horse and the next. It is hard for a horse not to be aware that something is wrong when a horse six feet away, in a chute, is shot."

Since virtually all the horsemeat for human consumption is flown to Europe and Japan, the horsemeat industry is not directly vulnerable to domestic consumer

pressure. But the supply of foals born to PMU-producing mares could be diminished if women taking natural estrogen, either in birth control pills or to control the effects of aging, could be persuaded to switch to readily available synthetic substitutes. That's the goal of MARC.

"Since approximately 60% of the PMU farms and the Ayerst Organics plant which collects estrogen from the urine—the only such plant in the world—are in Manitoba,' Krista Walters of MARC recently wrote to potential allies "MARC feels the efforts of all of us should be headquartered here in Winnipeg. This means the MARC office would be the clearing house for information and the centre for researching this growing industry." According to Walters MARC is already networking with women's groups and with Manitoba Member of the Legislative Assembly Marianne Cerilli, who in February produced a report criticizing the use of \$20 million in federal and provincial job creator funds to subsidize the expansion of the Ayerst plant at Brandon, Manitoba, in anticipation of booming Premarine sales as women of the Baby Boom generation reach menopause. Walters also claimed to have "begun consultations with a former PMU farm employee who has documented the deaths of seven mares on a Manitoba farm."

Ayerst expects to be contracting with 600 PMU farmers by the end of this year, up from 300 in 1991. There are 485 PMU farms on line now, 476 of them in Canada.

(CANFACT may be reached at Box 1221, Barrie Ontario L4M 6J5; 705-725-1504. MARC is at 15-222 Osborne St. South, Winnipeg, Manitoba R3L 1Z3.)

—Merritt Clifton

## *Horse Tips*

**Prairie Bayou, the pre-race favorite in the June 5 Belmont Stakes**, suffered a shattered foreleg while running 11th in the backstretch among a field of 13—an indication of exhaustion or injury—and was euthanized half an hour later. Prairie Bayou placed second in the Kentucky Derby five weeks earlier, and won the Preakness Stakes two weeks earlier as another top-ranked horse, Union City, collapsed and was destroyed due to similar fractures. The loss of the horses drew attention to the theories of several experts about horse racing injuries. Veterinarian James Rooney of the Maxwell H. Gluck Equine Center in Lexington, Kentucky, argued that the

turns, or areas where the track surface is more compacted." Kobluk also discovered that the risk of breakdown is highest in older horses, that horses under three are most vulnerable to fractures, and that horses in claiming races—typically high-stress events for horses of uncertain value—are at the highest risk. And 54% of all breakdowns, Kobluk demonstrated, occur in the homestretch turn, where tired horses are urged to push on to the finish.

**Scotland Yard, humane societies, and local police** are still seeking the culprit or culprits responsible for a decade-long series of mutilation attacks on horses in Great Britain, usually involving genital maiming. Crime

—Photo by Sue Clark

**Lucinda Randolph Benjamin** of the 4-H Club and Margaret Barker of the Cornell Laboratory of Ornithology are coordinating a study of inner city pigeon life, funded by the National Science Foundation and actually carried out by 15 young residents of the Bedford-Stuyvesant section of Brooklyn, New York. The participants, ages 9-14, are to closely observe the pigeons in their neighborhood, documenting everything the birds do.

**Carol Stevenson**, principal of the Ladera del Norte Elementary School in Farmington, New Mexico, rewarded a class of 23 second graders for reading 7,000 pages of library books during May by eating six live worms in front of them. The geek show was apparently the children's idea, inspired by one of the books they read.

## Useful publications

*National Boycott News'* 124-page 1993 *Background Issue* and a recently begun update series cover the reasons for and results of consumer boycotts of all kinds. Subscriptions are \$10/year from 6506 28th Avenue NE, Seattle, WA 98115.

*ProAnimal*, a new Chilean animal protection magazine, is published c/o Dr. Hermann Matamala, Casilla 52743, Santiago, 1, Chile. Patrice Greanville of the U.S.-based Voice of Nature Network is listed as editor-at-large.

The newsletter *Investing for a Better World* is published by the Franklin's insight investment advisory service of the Franklin Research & Development Corporation, a socially responsible investment advice firm handling funds of \$600,000 and up. President Joan Bavaria has declared animal rights a priority concern. Subscriptions are \$19.95/year, while the complete investment service is \$195/year, from 7811 Atlantic Ave., Boston, MA 02111.

back-to-back collapses of Prairie Bayou and Union City were, "Pure bloody coincidence," claiming that only 2% of North American races result in fatal breakdowns—but that would still mean the deaths of 1,600 horses a year. Many of these deaths, Rooney told Maryjean Wall of Knight-Ridder Newspapers, are because "racetracks are not banked properly. Most breakdowns begin with sesamoid problems. It's interesting that fractured sesamoids are virtually unheard of in Europe, where they run mainly on the turf and often down straightaways or around a dogleg instead of a turn." Trainer David Cross and veterinarian Alex Harthill agreed that the financial pressure involved in horse racing is driving owners to send their horses out too often. Veterinarian Calvin Kobluk of the University of Minnesota pointed to a study he did in 1988 for the American Association of Equine Practitioners. "We were able to show that certain trainers had high injury rates," he told Wall. "We learned styles of training make a difference, that lower-class horses are more susceptible to injury, that angle of shoeing plays a role, and that spots in the racetrack can play a role, such as going into and out of

experts believe the attacker may be acting out a displaced rape fantasy, involving class-based resentment of the wealthy young women who typically are the riders of the equine victims. More than 30 attacks have come since 1990, including some by apparent imitators of the original attacker, who appears to be well-versed in horse behavior and anatomy. Most of the attacks have occurred in rural districts surrounding London, but there have also been some in Yorkshire, along the Welsh border, the south coast of Wales, and in Cornwall. Twenty-seven suspects had been questioned as of June 24, but none have been charged with any of the crimes.

**The Hooved Animal Humane Society**, an Illinois horse rescue group, held a fundraising pork chop dinner on June 19, and avoided becoming target of a demonstration only because local activists were already committed to another event taking place the same day. As the caller who alerted **ANIMAL PEOPLE** put it, "Somebody should tell them that pigs have hooves, too." You can, at 10804 McConnell Road, Woodstock, IL 60098-0400.

## Diet & Health

**Thirty of 90 beef slaughterhouses** inspected by the USDA during last winter's outbreak of *E. coli* bacterial poisoning of hamburger were temporarily closed for clean-up, Agriculture Secretary Mike Espy announced May 27. Twelve plants were put in a special enforcement program, with which they must comply or lose USDA certification. The last of 143 people who were hospitalized during the *E. coli* outbreak, 10-year-old Brianne Kiner, was released as an outpatient from Children's Hospital in Seattle on June 29. Stricken after eating a Jack-in-the-Box hamburger on January 13, Kiner spent 41 days in a coma and lost her large intestine. Four children died—three in the Seattle area and one in San Diego.

**Refraining from mentioning the politically charged word "meat,"** the National Cholesterol Education Program on June 15 announced that due to changes in eating habits, the cholesterol level in the blood of the average American is down 4% since 1990, but is still too high—and recommended an even more diligent effort to avoid cholesterol, which occurs only in animal products.

**The Food and Drug Administration** is moving to require restaurants to provide supporting evidence for promotional claims relating to health and nutrition, including the use of terms such as "low in fat" on menus.

**A Gallup poll taken in England** earlier this year found that 2,000 Britons a week have become vegetarians since 1990. Eleven percent of the British population has given up red meat; 4.3% has given up meat entirely. Women are more likely to become vegetarians; 12.8% have already, including 13.3% of women aged 16-24. But 6.8% of men aged 25-34 are also vegetarians, a jump of 48% since 1990. Vegetarianism is up 59% among men aged 35-44—and up in staunchly conservative Scotland by 164% ten times the national rate of increase. Overall, four Britons in 10 eat less meat than they did three years ago. The poll results appeared in the June issue of *Vegetarian Living*.

**Paul McCartney reportedly failed to promote vegetarianism** successfully among his fans and crew during a recent tour of the midwest—but the fault may have been with the concessionaires, who only grudgingly stocked vegetarian hot dogs at performances in St. Louis and Milwaukee and apparently didn't do much of a job of hawk-ing them. Fewer than 100 were sold in St. Louis to a crowd of 42,000. The San Francisco Giants, leading the National League western division by five games at the halfway mark of the baseball season, may have a greater impact. None of the players are vegetarians, but veggie hot dogs have been popular at the Giants' concession stands for years.

# Animal Health & Behavior

## *CDC goes to rat-@#\$\$%*

**The Centers for Disease Control and Prevention** blame an unknown Hantaan virus probably transmitted by rodents for causing flu-like symptoms that killed 19 residents of the Four Corners region of New Mexico, Arizona, Utah, and Colorado during May and June. Most of the victims were Native Americans. Hantaan viruses are typically transmitted through inhalation, after becoming airborne with evaporated urine. The transmission route for this as yet unidentified virus has not been found, and investigators have been thwarted by the reluctance of Navajo victims' families, in particular, to speak either of the dead or of matters involving their religion and rituals. However, Nevada paleoenvironmental researcher Peter E. Wigand, who seeks clues to ecological history in ancient deposits of crystalized rat urine, may have unwittingly provided a clue to the outbreak last January, before it actually occurred. Wigand and fellow scientists at the Desert Research Institute in Reno compete with Native American healers throughout the southwest for access to the rat urine deposits, called middens, many of which are still serving as rat latrines even after thousands of years. As Wigand explained to *The New York Times*, "Several Native American tribes prepare a kind of tea from crystalized rat urine, which they drink as a medicinal cathartic." Such a tea, carrying a weak Hantaan virus from recent rat excretions, could serve as a sort of self-vaccination; but if the virus mutated into a stronger form, it could overwhelm the drinker's immune system. The CDC meanwhile is focusing its efforts on rodent control—which may have been necessitated by intensive "coyote control" waged by sheep ranchers and the federal Animal Damage Control program in much of the same area.

## *The fossilized right*

**Trilobites, distant ancestors of horseshoe crabs** who lived from 550 to 230 million years ago, tended to turn right to avoid attack by an ancient crustacean called *Anomalocaris*, according to a study of fossils by paleontologists Loren Babcock of Ohio State University and Richard Robison of the University of Kansas. More than 70% of apparent bite wounds suffered by trilobites

## *Lyme disease update*

**Lyme disease cases reported** to the Centers for Disease Control and Prevention totaled 9,677 in 1992, up from 497 in 1983, before the symptoms were widely recognized. According to Joachin Oppenheimer, M.D., of Glen Rock, New Jersey, who has investigated Lyme disease prevention in his capacity as chair of the North Jersey chapter of the Adirondack Mountain Club, "The occurrence of Lyme disease follows somewhat the pattern of the horse population, being more common in horse country, although this has never been formally studied. It certainly does not correlate with the density of wooded areas or deer populations," which have been blamed for the spread of Lyme disease throughout New England. In any event, late summer is the peak period for infection via Lyme-carrying ticks. Since keeping one's body completely covered with clothing and insect repellent is cumbersome and uncomfortable, New York Medical College entomologist Durland Fish, M.D., advises early-summer yard application of any of three pesticides: carbaryl (Sevin), chlorpyrifos (Dursban), and cyflutherin (Tempo). "It takes only one or at most two applications to reduce the tick population and the risk of Lyme by 95%," Fish claims. Researchers are now studying means of keeping the host wildlife tick-free. In one experiment, mice were tick-free for months after being given cotton balls soaked in tick repellent to use in making their nests.

## *Epidemics*

**New Zealand agriculture minister John Fallon** announced June 2 that the government would not release the flea-borne disease myxomatosis to control rabbits because the deadly disease, long used in Australia, might also harm native kiwis. "Myxomatosis is not an acceptable option," Fallon said, catching immediate flak from Federated Farmers president Owen Jennings, who accused him of "pandering to a lunatic fringe of the animal rights movement," namely the New Zealand SPCA.

**An unidentified respiratory infection** that killed hundreds of gannets and loons in southern Florida early this year is now hitting the same species in North Carolina, and evidently hindering migration, as at this time of year the birds are usually in Canada, Maine, and

*Phil Becker, a town counselor in West Chester, Pennsylvania, and networking coordinator for the Pennsylvania Animal Welfare Society, recently convinced the city to ban the use of pesticides in dog-walking corridors of public parks. Becker acted after reading a 1991 study published in the Journal of the National Cancer Institute that documented an increase in risk of developing malignant lymphoma ranging from 30% to 90% in dogs who frequent lawns treated with the defoliant 2,4-D. On average, one dog cancer in seven is a malignant lymphoma, the canine equivalent of non-Hodgkin's lymphoma.*  
(Photo by Debra A. Palmarini.)

# BIOMEDICAL RESEARCH

were on the right side of their tails. The study indicates that "handedness" occurred extremely early in evolution.

*The late Carol Moreau of East Farnham, Quebec, rescued this injured Lhasa Apso from a pet store in nearby Cowansville in November 1984. Whether the puppy was imported or bred locally was never clear. A decade later, Canada is finally moving to prevent such cases.*

*(Photo by Merritt Clifton.)*

## ***Diseased dog exports***

**Agriculture Canada** announced June 9 that it intends to impose tough new health rules to prevent the import of diseased puppies from U.S. puppy mills. Under consideration are a ban on the import of puppies under eight weeks of age; a requirement that all canines be vaccinated against distemper and parvovirus as well as rabies; a stipulation that travel time from source to delivery be under 36 hours, and a requirement that all canines receive a veterinary inspection at the point of departure. To be issued by Order of the Cabinet rather than via Parliament, the rules will probably take effect next year. Since Canada began border inspections of puppy shipments on December 10, 1992, 450 puppies from 17 different loads have been rejected for health reasons, while 5,677 have been accepted. Canada imports about 20,000 U.S. puppies per year.

the Great Lakes region.

**California game wardens on June 11 seized and killed 71 ducks and geese** who had been taken to a farm north of Los Angeles by Venice residents who argued that they should have been quarantined instead. The waterfowl, who lived in the Venice canal system, had been exposed to duck virus enteritis, a contagious disease that brings death from internal bleeding and organ damage. Of the 400 birds believed to have been at risk, about 200 died of the disease or were euthanized; the rest remain at large and are considered a possible threat to the 2.8 million waterfowl who use the Pacific Flyway. The Wildlife Protection League won a restraining order against the preventive killing on May 24, a day after about 100 Venetians formed a human wall between the ducks and the wardens' first attempt at euthanasia. The order was lifted June 10, whereupon the protesters tried to evacuate the remaining ducks before the wardens could catch them.

## ***Veterinary news***

**The Pennsylvania legislature bailed** out the University of Pennsylvania veterinary school June 2 by including retroactive appropriations in the state budget. The school was due to close from lack of funding in last year's budget. Even with the new funds, the veterinary school expects a deficit of \$12 million over the next two years, which equals the state appropriation for one year.

**Evan M. Morse**, who 23 years ago became the first Afro-American veterinarian in northeastern Ohio, was honored recently as one of Cleveland's outstanding Afro-American entrepreneurs. Morse has operated the Warrensville Animal Hospital and Four Gables Kennel in Warrensville Heights since 1973, and is also co-founder of a mobile free veterinary clinic that serves the poor.

**A device called Aqua Cow**, invented by Danish dairyman John Lanstein, uses 700 gallons of warm water to lift downed cattle to their feet. The device is much gentler than the slings and tackle usually used to raise downers, who may suffocate from the weight of their own bodies pressing on their lungs if they aren't promptly raised.

**A nesting osprey** somehow bridged two transmission wires in Mattituck, Long Island, New York, on June 2, causing a power failure that in turn led to the release of toxic formaldehyde gas at the Plum Island Animal Disease Center run by the USDA. About 30 staffers were temporarily evacuated. The gas was being used to kill microorganisms in a research laboratory prior to the start of an experiment.

**The premise of the hit film *Jurassic Park*** is that scientists might some day clone dinosaurs from bits of their DNA, containing their genetic codes, which may be found in the bellies of blood-sucking insects whose remains are preserved in amber. Considered far-fetched by many, that scenario moved closer to reality in June when a team of California-based researchers reported in *Nature* that they had extracted recognizable DNA segments from a weevil who became caught in tree resin 120 to 135 million years ago. The resin hardened into amber, and was eventually excavated near Jezzine, Lebanon. Paleontologist Jack Horner of Montana State University topped that June 30 announcing that his graduate assistant Mary Schweitzer had discovered apparent blood cells in the deep interior of a tyrannosaur bone, where the thickness of the bone protected them from fossilization and decay. Horner's team is now trying to extract DNA from the blood cells.

**The University of Buenos Aires** College of Exact and Natural Science agreed on April 19 to allow students to opt out of vivisection and dissection without penalty, the Asociacion para la Defensa de los Derechos del Animal announced recently. "The College of Pharmacy and Biochemistry is almost ready to sign a similar resolution if we can provide the alternatives," ADDA secretary Elsa Beatriz Maturana told **ANIMAL PEOPLE**.

**The Shanghai Nuclear Institute** claims sheets of pig skin zapped with radiation show no signs of rejection when grafted to human burn victims, an apparent major breakthrough in burn treatment. More advanced U.S. research has focused on growing new skin from human cell cultures. This process is similarly successful, in the laboratory, and cruelty-free—but also slow and costly.

**The Primate Research Centre and Wildlife Preserve** in Barbados is not a sanctuary, but rather a monkey breeding facility for Connaught Laboratories. About 8,000 monkeys from the facility have been sold to research laboratories during the past 12 years.

**The U.S. Supreme Court ruled June 28** that scientific testimony cannot be excluded from courtrooms simply because it involves controversial theories, but agreed 7-2 that judges must actively review such testimony, throwing out whatever seems ill-founded and unproven. The ruling reopened *Daubert v. Merrill Dow Pharmaceuticals*, in which the plaintiffs contend that animal testing shows the drug Benedectin, taken during pregnancy, caused their two children to be born with missing and shortened limbs despite a lack of human epidemiological evidence that this could be the case.

## Did AmEx renege on "no fur" pledge to Roddick?

Did or did not American Express pledge to drop fur from its catalogs, to secure an endorsement from Body Shop skin and hair care products founder Anita Roddick?

Catching flak for appearing in AmEx television commercials while the firm is under boycott by PETA and other groups, Roddick issued a written statement on April 15 asserting that, "Before agreeing to do the commercial, I had a meeting with American Express where I was assured that the current catalog would be the last one to include fur." Receiving Roddick's statement directly from The Body Shop, **ANIMAL PEOPLE** published it in May.

According to *Fur Age Weekly*, Fur Information Council of America executive director Carol Wynne then confronted AmEx and got a distinctly different story. "My sources say they are going to carry fur in their Christmas catalog," Wynne said. "They're not aware of her demands."

Asked for an explanation by **ANIMAL PEOPLE**, Body Shop spokesman Robert Triefus exploded circa 3:00 p.m. on June 30, "I don't know who the hell Carol Wynne thinks she is or who at AmEx told her they would continue to carry furs when that's cer-

tainly not what they said to us."

AmEx spokesperson Maureen Bailey claimed ten minutes later, however, that AmEx had only told Roddick they would gradually phase out fur, that they had discontinued a special fur catalog three years ago and would advertise only three fur garments in their 1993 Christmas catalog—which certainly wasn't "the current catalog" as of April 15.

Circa 7:30 p.m., Triefus and Roddick retreated somewhat. "Anita is under the clear impression that AmEx is to phase out furs," Triefus said. "If we get the impression that there is any change in the understanding that we have been given, then she would withdraw from her agreement to appear in AmEx commercials." Triefus further claimed that although Roddick's agreement with AmEx is to expire in any event at the end of this year, AmEx has approached her about using the commercials in other countries later. As to any risk that PETA might boycott The Body Shop for Roddick's AmEx endorsement, Triefus said, "We have a very good relationship with PETA. Actually, two of their people were here just today to discuss a mutual campaign involving cruelty-free cosmetics."

## COURT CALENDAR

### Undercover probe nabs Wisconsin dog dealer; local judge lets him go

Circuit judge Donald Poppy, of Calumet County, Wisconsin, on June 14 dismissed a felony cruelty charge against USDA-licensed Class B animal dealer Ervin Stebane, 72, for tying, shooting, and disemboweling a dog he sold as meat. Poppy claimed Wisconsin law allows people to kill their own dogs in a humane manner, called the slaughter humane, and added, "If the legislature intended for people not to kill dogs as food, the legislature should pass such a law."

A hearing on a motion to dismiss a related misdemeanor charge—intentionally maintaining a place for shooting animals who are tied—was set for July 12, as was a second motion demanding that 145

The dogs were distributed among 18 humane shelters around Wisconsin. More than 70 people examined photos of the dogs at the Calumet County Sheriff's office, hoping to find pets they believed were stolen, but none were successful.

The May 25 raid came about as result of a controversial undercover action by Last Chance for Animals. Explained LCA president Chris DeRose, "For 30 years, the USDA, Wisconsin Department of Agriculture, and the local sheriff's department have been investigating Stebane for allegations of cruelty to animals, selling stolen pets to research facilities, violations of the Animal Welfare Act, and butchering dogs for meat. None of this led to any seri-

town of Brillion. "However, the area in which he murdered dogs was out of view from my surveillance points. When USDA inspections in February, March, and April 1993 failed to bring any charges against Stebane, I made a painful decision. In order to obtain the indisputable evidence necessary to put Stebane out of business, a couple was hired and equipped with a surveillance camera. Their lives were in great risk as they turned over \$50 to Stebane for a dog. In file footage which has now been seen internationally," aired by CNN on May 25, the day before Stebane's arrest, "Stebane, without care, without hesitation, shot the dog, slit his throat, and gutted him, complaining that his knife was dull."

# FUR

**A frequent target of animal rights protesters** for keeping marine mammals in captivity, Marine World/Africa USA is also under fire from the California Fur Industry Inc. for describing the near-annihilation of wild serval cats by the fur trade during educational presentations at the amusement park's Wildlife Theatre.

"**Fur trade officials** are now receiving Indian Affairs funds, which should be going to First Nations," the Aboriginal Trappers Federation of Canada charged in a public statement at the recent North American Fur and Fashion Exposition in Montreal. The statement referred to the allocation of funds from Indian and Northern Affairs Canada to the Wildfur Council of North America, a pro-trapping group with little Native American representation.

**The Fur Information Council of America** intends to place 22 generic full-color pro-fur ads in national media this winter. A third of the funding will come from Saga Furs of Scandinavia.

# ZOO'S

**Interior Secretary Bruce Babbitt** told the San Diego Zoo on June 25 that, "Frankly, at this time, I am not optimistic that our biologists can issue the permit" the zoo seeks to import three pandas from China under a captive breeding loan, because the import might violate the Endangered Species Act. Babbitt said the zoo would be allowed to bring in the pan-

dogs seized from Stebane on May 26 be returned to him.

## **Other Dog Crimes**

**Called after shots were fired** in a June 11 domestic dispute between Kirk Youtlen, 30, and Dawn Lynch of Leroy Township, Ohio, Lake County sheriff's deputies and dog warden Nancy Talamantez found themselves unexpectedly seizing 19 pit bull terriers, none of them licensed and insured as required by state law. The dispute that led to the shooting apparently began with an argument over who would get custody of one of the pit bulls when and if Youtlen and Lynch complete a divorce.

**Drug traffickers** are suspected of poisoning a U.S. Border Patrol dog named Duc in his kennel circa June 1. A Belgian malinois, Duc found \$64 million worth of cocaine during his four years on duty.

**An attorney from distant Portland** was assigned to represent alleged animal collector Vikki Rene Kittles of Brownsmead, Oregon, on May 26, after three other public defenders resigned, saying she was too difficult to work with. "If this one doesn't work, this is the last one," state director of indigent defense service Ann Christian promised. Kittles, alias Susan Mary Dietrich, was charged April 16 with 22 counts of first-degree animal neglect after authorities found her sharing an old school bus she called an animal shelter with 115 dogs, four cats, and two chickens. New attorney Laurie Bender's first job was to fight a motion to euthanize 19 dogs whom three local veterinarians discovered to have severe heartworm.

**Jose Canales, 54, of Wilmington, Delaware,** was to be sentenced July 9 for fatally raping a stolen 11-year-old husky/German shepherd mix named Sheba with a broom handle last November. Because of public outrage, a single misdemeanor charge against Canales was upgraded to two counts of animal cruelty, one of theft, and one count of felony criminal mischief. Canales pleaded guilty to the cruelty and criminal mischief charges on May 11.

ous charges against Stebane, and he continued to operate one of the largest death camps for dogs in the midwest.

"In response to numerous calls for help," DeRose continued, "I spent almost a year repeatedly attempting to use a hidden camera to document the killing of animals at his complex," the Circle S Ranch in the

## **Crimes Against Humans**

Elephant handler Thomas D. Huskey, of Pigeon Forge, Tennessee, was charged June 2 with murdering four prostitutes whose remains were found near the Knoxville Zoo last October. Huskey, a former Knoxville Zoo employee, was known as "Zoo Man" to local hookers because of he liked to take them to the zoo to have sex. He also faces 25 counts of rape, robbery, and kidnapping in connection with assaults on six woman who survived his attacks.

## **Crimes Against Horses**

**Farmer Marlene Anderson** has sued the Wayne County (Ohio) Humane Society and WCHS director Connie Imhoff for \$400,000, alleging 71 horses and ponies plus 31 cows and calves were improperly seized from her 55-acre property in June 1991. Convicted of allowing the animals to starve and become diseased, Anderson in August 1991 drew 30 days in jail, a \$250 fine, and three years on probation.

**The Humane Society of Missouri** won custody of a 15-year-old mare and reimbursement of \$2,263 in boarding expenses in the recent conviction of St. Louis resident Randy Carter for abandonment. Carter also drew five days in jail with a year suspended, and a suspended fine of \$250.

**Lawrence Lombardo, 50, of New York City,** was sentenced in Miami, Florida, on June 1 to serve four and a half years in prison. Lombardo pleaded guilty in April to 21 counts of conspiracy, mail fraud, and loansharking in connection with poisoning of a racehorse to collect a \$400,000 insurance policy.

Stebane sells about 1,000 dogs a year for vivisection, 600 of them to the University of Wisconsin at Madison, which bought 487 during the 10 months preceding the arrest. UWM Research Animal Resource Director Christine Parks confirmed that the facility had a "blanket order" for dogs from Stebane, adding, "Of course we don't know what went on behind the scenes."

Stebane was fined \$1,500 in 1987 for failing to meet Animal Welfare Act housing, sanitation, drainage, and food storage standards at another kennel in Kaukauna, near Brillion. According to the USDA report on the case, "Other violations occurred when he failed to furnish inventory records and conducted himself in such a way that a USDA official declined inspection of his premises." An administrative law judge lifted Stebane's Class B license for 20 days. The USDA unsuccessfully appealed, seeking stiffer penalties.

## **Activism**

**The California Court of Appeal for the First Appellate District** ruled June 1 that the constitutional right of anti-rodeo protesters to freedom of speech and assembly was not violated in 1991 when they were barred from protesting directly in front of the Cow Palace auditorium in Daly City. The ruling upheld a lower court verdict.

**The Pennsylvania Superior Court in Philadelphia** ruled June 23 that pet owners cannot sue for emotional distress in connection with injuries to their animals because under state law, all animals are considered property. The case evolved from a long-running dispute between veterinarian Jordan Miller and pet owners Gus and Florence Peraino, who claim, supported by two of Miller's ex-employees, that Miller beat their dog to death during tooth extraction surgery on July 16, 1990. Miller counters that the dog was sick, overweight, and died of unknown causes. The Perainos filed their civil suit after Miller was cleared of cruelty charges in March 1992.

das only if it can prove that the breeding loan "will ultimately result in enhanced protection for the species." He added that his staff was concerned "that this transaction will set a precedent and generate irresistible pressure for the capture and export of pandas from the only region where they are found wild." The San Diego Zoo has already spent more than \$1 million in preparation to receive the pandas, who are expected to be a record-breaking attraction, and has agreed to pay China \$1 million a year during their visit plus \$600,000 per cub who lives longer than six months. The funds would purportedly finance panda conservation, but panda conservation funds have repeatedly been diverted to other purposes by Chinese officials. Babbitt's warning came just a month after the American Association of Zoological Parks and Aquariums adopted a new panda conservation policy that calls for stationing a representative in China to make sure "panda rental" agreements are honored.

**The Cleveland Metroparks Zoo** opened a new outdoor gorilla exhibit on May 30. The zoo now has just one gorilla, but hopes to obtain as many as five.

**Pro-government militiamen stationed at the zoo in Kabul, Afghanistan** have reportedly made feeding the surviving menagerie—two lions, a tiger, a wild boar, a bear cub, and several monkeys—a top priority, despite food shortages and heavy fighting in the area. A rocket attack from Shiite Muslim rebels recently killed the elephant, and many other animals have been stolen or eaten. The zoo is considered a symbol of national pride.

—ADVERTISEMENT—

**Watertown, New York, has a new humane natural habitat zoo. Many thanks to all who helped. For cards and material on needed federal zoo and circus law, contact POB 428, Watertown, NY 13601-0428. Specify number.**

## Peggy Larson, DVM and Doctor -of-Law

# Committed, compassionate, qualified to castrate or sue

**BURLINGTON, VERMONT**—Among the heroes and heroines of animal protection are ex-vivisectionists turned animal rights advocate, veterinarians who do low-cost neutering, whistleblowers who challenge the meat industry, articulate writers and speakers, and attorneys who secure better humane enforcement.

Tough, skeptical, and able to debate any subject she addresses, Peggy Larson is all the above and more. Her 37 years of professional research, activism, and advocacy began with two years of neurophysiologic experiments on cats at the University of Minnesota in 1956-1957, as one of the first women to break into an overwhelmingly male-dominated field. This work, she recalls, "was horrible. Succinyl choline was commonly used at that time, which paralyzes the cat but does not anesthetize him."

Two years followed as chief technician at the rabies diagnostic laboratory in Grand Forks, North Dakota; then came seven years of neurological studies and sleep research on cats and dogs at the Bowman Gray School of Medicine, 1958-1960, and Ohio State University 1961-1965, where she earned her veterinary doctorate.

Research in the same field by John Orem of Texas Tech and Adrian Morrison of the University of Pennsylvania has attracted the destructive attention of the Animal Liberation Front, becoming a national *cause celebre*. Larson says she is unfamiliar with their work, which began long after she moved on. "The research I did on normal sleep patterns in cats and kittens was non-invasive," she explains. "The electrodes were glued to their heads in a manner identical with human EEG procedures. The cats were adopted by students."

Still, she had doubts. "I left medical research because of the way the animals were treated," she states. "Recently and reluctantly, I serve on the Institutional Animal Care and Use Committee for the research facility at the Veterans Administration hospital at White River Junction. Things have changed for the better, but as long as

inspection program, and Governor Richard Snelling requested that the USDA temporarily assign me to the state to clean up the mess." Snelling wanted Larson not only for her veterinary skills, but also for her reputation as a take-no-nonsense personality. She lived up to it, coming on like a sheriff running the riff-raff out of a Wild West saloon.

The Vermont situation, Larson explains, involved "a great deal of coziness between the commissioner of agriculture and the state veterinarian with the slaughter plant operators. Neither would back the inspectors assigned to the plants. The plant operators began breaking the law by processing unfit meat. One plant operator picked up dying animals from the farms. Some farmers even paid him to take their animals. These were being processed. Then one day this plant operator delivered some carcasses in a truck used for downed, diseased, dying, or dead animals. The inspector at the retail store refused to allow the carcasses into the store's cooler. The state veterinarian ordered him to put the contaminated carcasses into the cooler. Reluctantly he conformed to the order. He then called the Vermont State Employees Association to cover himself for breaking the law. The VSEA called the attorney general's office, who dispatched the state police to investigate. All hell broke loose. Governor Snelling launched an investigation. The state veterinarian and the deputy agriculture commissioner were fired. The ensuing investigation uncovered major flaws in the meat inspection program, one of which was a total absence of poultry regulations and outdated meat regulations. Another was abusive and threatening behavior by the meat plant owners toward the state inspectors assigned to their slaughterhouses."

Larson herself was stalked and threatened by one operator, who learned the hard way that she's not someone to intimidate.

"I cannot possibly explain to you all that happened during those crazy four months," she says, "because it would be too extensive, but I solved the problems by

*Peggy Larson*

duties of a deputy state's attorney for five months, and got back to veterinary work in August 1990, when she and her companion Roger Prior became the volunteer staff veterinarians for the Green Mountain Animal Defenders' neutering clinic in Burlington.

### *Neutering program*

Despite her background in the biomedical research and meat industries, "I have always been a softie when it comes to animals," Larson states, admitting much of her occupational history was like serving a stretch in hell. "After I joined People for Animal Rights," the Burlington activist group that evolved into Green Mountain Animal Defenders, "some of the other members asked me about doing spays and neuters to help alleviate the stray cat population. At first I didn't see how it could be done without money. But I started doing a few cats at my house on the kitchen table. They didn't have any complications, and it was pretty easy, so I did more and more and more. We finally got too big for the house and in January 1993, we moved into a three-room commercial facility in Colchester," a Burlington suburb. "My brother donated an anesthesia machine, we bought used instruments at a hospital auction, and scrounged around for various other equipment and supplies. We also started asking for a \$20 donation for each cat. For \$20 we performed the surgery and vaccinated the cat for rabies and distemper. We began to be

animals are used for research, I will always be uncomfortable."

## *Out of the frying pan into the fire*

For more than a decade, 1967-1978, Larson practiced veterinary medicine, dividing time between California and North Dakota. Moving to Vermont as a veterinary medical officer for the USDA in November 1979, she broadened her credentials with a stint as pathology specialist for the federal Marine Mammal Task Force in 1982. Then in 1983-1984, as one of the worst outbreaks of avian influenza that ever hit the U.S. poultry industry occurred around Lancaster, Pennsylvania, the versatile Larson helped fight it as a computer specialist. "Grain haulers, inspectors, visitors—anyone who may have been in an infected chicken facility can easily infect a clean chicken house," Larsen notes. "The USDA was called in basically to slaughter all exposed chickens and potentially exposed chickens. If one chicken died of a virulent strain as shown by a blood test, the entire house was destroyed. Often as many as 30,000 chickens were killed and disposed of in landfills."

That was bad enough, but the high and low point of her years with the USDA came in June 1984. "I saw overwhelming corruption," Larson explains, "which could not be changed because the abuses were at the supervisory level. My supervisor embezzled over \$100,000 on his travel vouchers; his supervisor, the regional director, covered it up." When Larson raised the issue, "the supervisory hierarchy turned on me. At the same time," Larson continues, "the state of Vermont was in great trouble with their meat

rewriting the state meat and poultry regulations, retraining the inspectors, getting the slaughterhouse operators to comply with the law, and splitting the state's livestock and meat inspection departments into two separate departments, each headed by a specialist."

All the while the USDA situation smoldered in the background. Allegations that Larson was paranoid, insane, and a closet animal rights activist were whispered to the media. Reporters conferred, compared notes, and decided that so many influential people were out to get her that if she wasn't paranoid, she should have been.

Larson's characteristic response was a counteroffensive. "After I returned to the USDA," she continues, "I filed a lawsuit over the personal abuse I endured subsequent to my acquiring the evidence of embezzlement. The USDA promptly abolished my position in Vermont and shipped me to Iowa," where she served as acting chief of avian, equine and bovine diagnostic virology at the National Animal Disease Laboratory. But Larson didn't stay out of either Vermont or trouble. "I stayed there for four months," she recounts, "and then returned home. My lawyers advised me not to quit, but to force the USDA to fire me. Four months later I was fired, but not before both supervisors lost their jobs."

Vindicated, Larson dropped her suit, and "decided to enter law school. At that time it seemed that my entire working world was corrupt and abusive. Legal knowledge would have given me the expertise to handle problems more effectively." Larson earned her doctorate in law from the Vermont Law School in May 1988, after serving an internship working on consumer fraud cases, performed the

self-supporting, as most people can pay \$20. We limit our program to limited income families. My husband," fellow veterinarian Roger Prior, "retired from Brown Animal Hospital and joined our program in 1992."

Performing 50 to 80 neutering surgeries per week. Larson and Prior have now fixed more than 5,000 cats. "The really wonderful outcome of all this," Larson explains, "is that the Burlington Humane Society has literally no kittens to place. And we have very few on our bulletin board. Our biggest problem continues to be the local veterinarians who mistakenly think we are taking business from them."

In addition to doing neutering at the Burlington facility, Larson holds neutering clinics at pounds and shelters around the state. Opposition from veterinarians in some areas is so strong that one shelter director told **ANIMAL PEOPLE**, "It would be all my job is worth to have her in. I'd never be able to get it past the board." Gradually, though, concern over "competition" from Larson has subsided. She acknowledges that the complaints she hears now are few compared to those she heard two years ago. Some other veterinarians do wonder about the quality of care the GMAD team provides, but as usual, Larson has the numbers on her side.

"To date," she says, "we have had no major infections in cats that we have done outside of our facility," in the shelter clinics that are most often criticized. "And we have had very few superficial stitch infections. We had a total of 11 deaths out of our first 4,000 cats. Two had leukemia on autopsy. Two were allergic to the anesthetic and one was allergic to rabies vaccine. Several were in ill health and in an advanced stage of pregnancy and were too weak to survive. Two had clotting disorders. Since our patients are not always the best risks surgically, I think our survival record is outstanding. I think any veterinarian who states that mobile clinics provide inferior care fails to understand the procedure. M\*A\*S\*H\* units have saved thousands of young fighting men. Surgery in those units could not be any cleaner or more sterile than our mobile clinics. Granted, a mobile unit is not a full service veterinary hospital, but we are not providing full service veterinary care. We are providing limited surgical care, and we have all the necessary emergency supplies to do this except oxygen. Since we do not use gas anesthesia, oxygen is of limited value. We do have oxygen in the Colchester clinic, and have never had to use it."

Her summation for the jury: "Spay and neuter programs work!"

—Merritt Clifton

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## Paws For Thought: A Look at the Conflicts, Questions and Challenges of Animal Euthanasia

by B.J. Ellis. Paw Print Press (7509-I Garners Ferry Rd., Suite 164, Columbia, SC 29209), 1993, 137 pages, softcover \$12.95.

*Paws For Thought* may be more divisive than it is thought-provoking.

With a cursory introduction to the causes of pet overpopulation, Ellis arrives at the anticlimactic conclusion that, "Until there is a drastic improvement in the pet overpopulation problem, a significant part of an animal control officer's job will involve destroying healthy animals. The effect is to put ordinary people under extraordinary stress. They love animals, but have to kill them. How unfair. How stressful."

According to Ellis, a freelance writer and former newspaper reporter with a shaky command of syntactical logic, "This book is for the hard-working animal abuse investigators. The ones who keep a bottle in their desk to ease their psychic pain. The ones I've overheard bragging about their drunken all-nighters. The ones who are in the doghouse with their spouses because they've given up trying to explain why they feel so bad."

After interviewing dozens of animal control officers and volunteers, Ellis outlines "Euthanasia Stress," dealing with death, grief, guilt, co-workers, and society, and discusses coping mechanisms. The strongest section of her book, "Feelings, Emotions," explores "Recurring Euthanasia Stress Syndrome," likening it to Post-Traumatic Stress Disorder. Concrete suggestions offer direction: regular physical exams for shelter workers, open discussion sessions, facilitated support groups, and networking.

Ellis lists 13 "Consultants on Euthanasia Stress," one of whom, Humane Society of the Pikes Peak Region education and publicity director Phil Arkow, recommends that shelter directors should, "Hire people with farm backgrounds [for euthanasia work] who are used to compassion and detachment with livestock." Detachment, yes, but humane workers familiar with farm routines will see little evidence of compassion in such common practices as castrating pigs without anesthesia, debeaking chickens, crushing newly hatched roosters to death, confining calves in veal crates, locking dairy cows' necks in rigid stanchions, and docking horses' tails. Approached for clarification, Arkow told **ANIMAL PEOPLE** that, "My experience in Colorado has been that for farm/ranch people, or at least those with rural backgrounds, it's often easier to say goodbye to animals when necessary. I call it compassion-

with-detachment: people who care about animals, but can leave problems at the shelter and recognize that they can't save all the animals. Obviously not everyone on a ranch has this attitude. My point in B.J. Ellis' book," Arkow continued, "is that a shelter which euthanizes can't just hire animal lovers; the stress is too great. We assume that anyone who wants to work in this field is an animal lover, but beyond that they have to have other skills and attitudes which make the shelter want to hire them. A realistic approach is called for, and someone who's gotten his/her hands dirty, whether it's doing vet tech work, delivering calves, etc., may be better equipped psychologically for putting down 30-50 dogs and cats a day."

All of that should have been in the book but is not.

Often losing focus, Ellis rambles through many tangents unrelated to her frequent subheadings. For instance, a chart titled "Ten Rational Plans of Action for the Pet Overpopulation Crisis" includes "demand humane treatment and sanitary conditions for laboratory research animals," "demand that animal shelters exist not only for the good of its animals, but care for its employees," and "don't let a few animal rights crazies speak against you or bash your shelter."

Animal rights activists are mentioned many times—"the animal rights crowd who says we shouldn't kill any animal at all," "animal rights groups protest euthanasia," "animal rights extremists who offer no logical solutions, only to 'liberate' the animals," and "you [euthanasia technicians] are caught between the animal rights extremists and the animal abusers." These harsh blanket statements float through the text with no substantiation, and severely detract from the author's stated goals: to increase awareness of Euthanasia Stress, provide coping tools, discuss feelings, encourage networking, "affirm what euthanasia technicians are doing," and explore future challenges.

It helps to know that Ellis did much of her research around the time of the "Homeless Animals Day" vigils in late summer 1992. Meant to publicize pet overpopulation, these vigils were widely misperceived as attacks on shelter euthanasia—as they were in some cases, where the participating activists were at odds with local shelter management. But Ellis badly lacks perspective if

she's basing her opinion of the animal rights movement on this one fiasco and fails to understand that many leading animal rights groups including People for the Ethical Treatment of Animals are *not* anti-euthanasia.

Ellis does discuss one much-needed goal, "to develop uniform standards of euthanasia technician training and certification and recertification," and "to mandate certification in every state." According to Ellis, this "big project" will be unveiled by the end of this year, and involves the joint efforts of the American Humane Association and the Humane Society of the U.S., which she claims "have been working together to produce a single book outlining animal shelter euthanasia services that are practical, cost-effective and legal."

Reflecting her concern "about the way society and the media treat animal shelters and its employees," Ellis promises to donate a portion of her book's proceeds "to establish a Wellness and Recognition Fund and award for animal welfare workers."

But the good intentions and smatterings of sound advice in *Paws For Thought* are overwhelmed by its divisive, us-against-them tone and mediocre writing. *Paws For Thought* gets up on the wrong side of the bed and stays cranky and groggy throughout.

—Donna Robb

[Robb, now a freelance journalist, is a certified animal health technician and former humane officer. Asked why she didn't make note in her review of her own experience with euthanasia, she responded, "My personal experience is from veterinary clinic settings where I've euthanized very old, very ill, or very injured animals—easier to deal with than euthanizing healthy kittens and puppies, except when the illnesses or injuries are due to owner neglect, e.g. animals so infested with maggots that no treatment is effective. My personal experiences are why I don't seek shelter work; I know I couldn't deal with it. Also, in the clinic setting, the grieving owner is a distraction from the actual death. You end up fussing over the owner, and feeling bad for him/her. The grief isn't so focused on the act of injecting death. My coping mechanism was to cry as I drove home, forcing myself to come to terms with it by the time I hit the driveway.]

# Marine Mammals

**The U.S. Navy on May 27 flew five dolphins** from a base on San Diego Bay to the Disney World Epcot Center "Living Seas" pavillion in Orlando, Florida—without getting prior permission from the National Marine Fisheries Service, and in apparent contravention of language in the current appropriation for the Navy dolphin program, which provides "no less than \$500,000 only to develop training procedures which will allow mammals which are no longer required for this project to be released back into their natural habitat. The confreres prohibit the release of these mammals to any alternative captive environment." The dolphins were moved from San Diego—on a five-year-loan to Disney/Epcot—to make room for between 40 and 55 dolphins who are being relocated from a base in Hawaii. Disney/Epcot plans to use the dolphins for captive breeding.

**The National Marine Fisheries Service** in late May revoked Marine World/Africa USA's permit to import four false killer whales after learning they were to be captured during a "dolphin drive" on the Iki peninsula of Japan. Former Sea World marine biologist John Hall charged as far back as October 1987 that the widely publicized Iki dolphin massacres were no longer undertaken to protect fishing nets, their original purpose, but were instead orchestrated to capture selected marine mammals for first Sea World, which struck a deal with the Iki fishing industry circa 1985, and later both Marine World/Africa USA and the Miami

Seaquarium. Said Joe Roberts of the Dolphin Alliance, "Somehow the public relations mumbo-jumbo from the whale jails about exhibiting animals so the public will learn to respect and protect just doesn't sound convincing when you picture these same people on the banks of a blood-filled bay saying, 'I'll take three of these and two of those.'"

**The year-old Dolphin Alliance** hopes current negotiations with the Ocean Reef Club in Key Largo, Florida, will secure the release of Bogie and Bacall, two bottlenosed dolphins whose 1988 capture influenced the National Marine Fisheries Service to bar further captures for the benefit of facilities not open to the public. The privately

—Photo by Kim Bartlett

## DATES & PROJECTS

**July 29-August 1:** Conference, "A New Generation for Animal Rights," in New Brunswick, New Jersey. Get details from 919-942-6909.

**August 4:** Conference, "Day of the Cat," presented by the Humane Society of the U.S. at Busch Campus, Rutgers University, Piscataway, New Jersey. \$20 includes lunch (may not be vegetarian). For info, call 201-927-5611.

**August 4-8:** Vegetarian Union of North America convention in Portland, Oregon. Get details from 609-694-2887.

**August 6-7:** Spay/USA Action Conference, Bentley College, Boston, Mass. Get info from 1-800-248-SPAY.

**August 7:** Protest from noon to 2 p.m. at the National Trappers Association Convention in York, Pennsylvania. Get information from the Chester Coalition for Animal Rights and the Environment, 215-932-4390.

**August 12-14:** Daily protests at the National Live Stock and Meat Board annual meeting, Sheraton Hotel, Chicago,

coordinated by the Farm Animal Reform Movement. Call 301-530-1737 for details.

**August 13-14:** Central Vermont Humane Society Open House and yard sale. Get details at 802-476-3811.

**August 21:** American Horse Protection Association Summer Jubilee, 10 a.m. to 4 p.m. in Frying Pan Park, Herndon, Virginia. For details, call 202-965-0500.

**All summer:** The Chicago Animal Rights Coalition is protesting the treatment of beluga whales at the Shedd Aquarium every Sunday. Call 708-552-7872 for info.

**All summer:** The Mountain Lion Foundation seeks petitioners to help get a wildlife habitat acquisition bond issue on the June 1994 California ballot. Call 916-442-2666.

Dates & Projects lists, at no charge, public participant activities for which there is no more than a nominal admission fee. Send full details on your event to **ANIMAL PEOPLE**, P.O. Box 205, Shushan, NY 12873.

**The Promise**, music video, CD, and audio tape by Cathy Kinsman, Vital Scenes Productions Inc., Swansea Postal Station, Box 88558, 34 Southport St., Toronto, Ontario M6S 4Z8 Canada. \$20 in video or CD format; \$15 as tape.

Illinois activist Steve Hindi described *The Promise* to **ANIMAL PEOPLE** as a beautiful, non-shocking, non-confrontational way to introduce the public to captive dolphin issues. Maybe, but not by itself. Except for singer Kinsman's facial expressions and the brief non-speaking appearance of Ric O'Barry with a picket sign, one would never know from this that dolphins don't enjoy being in amusement parks as much as Mickey Mouse. *The Promise* is beautiful, and very well produced (as one would expect from the price), but you'll need a lot of good accompanying handouts to use it effectively in a public forum. One plus: Wolf Clifton, age three, watches the brief video as often as anyone will rewind it for him. Any profits, Kinsman pledges, will aid dolphin rescue projects including the campaign to free Bogie and Bacall and the effort to end "rent-a-dolphin" shows promoted by Marine Animal Productions of Gulfport, Mississippi.

—Merritt Clifton

developed Ocean Reef Club was recently sold to an association of member homeowners. This brought the club under the new NMFS rules, obliging it to either sell the dolphins to an aquarium or turn them over to a group such as the Dolphin Alliance for rehabilitation and eventual release. Two other Ocean Reef dolphins, Molly, age 30-plus, and Lady, 40, are believed to be too old for successful release.

**Olympic medalist Matt Biondi**, who is of Norwegian background, has endorsed Earth Island Institute's boycott of Norwegian products, called in protest of Norway's decision to resume commercial whaling. Norway plans to kill as many as 1,000 minke whales this year—if the whalers can find them.

**At instigation of the Dolphin Alliance**, 16 Florida coastal communities and the Florida House of Representatives have passed resolutions urging Congress to end dolphin captures when the Marine Mammal Protection Act comes up for renewal later this year.

**The National Marine Fisheries Service** is trying to find out why 78 highly endangered Kemp's ridley sea turtles washed up dead along coastal Louisiana in early June. The deaths came two weeks after a group of captive-bred juvenile Kemp's ridley sea turtles were released in the same area. Though not mammals, sea turtles are also protected by the Marine Mammal Protection Act.

## Sexual Strategies: How Females Choose Their Mates, by Mary Batten,

G.P. Putnam Sons (200 Madison Ave., New York, NY 10016), 1992, 248 pages, hardcover \$21.95 US, \$28.95 CN (ISBN 0-87477-705-4)

From the perspective of evolutionary biology, everything in nature revolves around the struggle of genes to survive and reproduce. During her years of researching and writing nature documentaries, Mary Batten, presently editor of *The Calypso Log*, noticed that while the scientific establishment accepted most aspects of evolutionary biology, it tended to ignore the often-documented role of female choice in the evolution of species and societies.

*Sexual Strategies* is a lucid and engrossing account of this neglected aspect. From insects to primates, she explores the myriad ways in which females exercise reproductive choice. The result is a new perspective on the role of female choice in human affairs.

Basic biology suggests that males and females are designed to pursue conflicting reproductive strategies. In most species, males, with their greater quantity of genetic material, are biologically compelled to share their genes with as many females as possible to ensure reproductive success. While these males are therefore attracted to any healthy female capable of bearing young, females—with a greater physical investment in reproduction—are seeking males able to provide for future offspring. Even when males contribute only their genes, females have the final

## BOOK REVIEWS

choice, preferring mates who present vital or in some cases unusual attributes.

Like humans, females of most species choose males who control resources sufficient to ensure survival. "Universally," writes Batten, "females prefer males with resources, and select such males whenever they have the opportunity." In Adelie penguins, for example, these resources are the layers of fat that enable males to incubate eggs for long periods of time. In other species, resources are defined as territories where both can forage for food. In human terms, resources can range from a few head of cattle to a position in a prestigious company, depending on the society. Nor has Batten found that increased economic opportunities for women influence their innate attitudes toward males. Citing examples from several surveys, she concludes that "the more money a woman makes, the *more* she values the financial and professional status of a potential mate."

*Sexual Strategies* deals openly with other controversial aspects of evolutionary biology. A chapter is devoted to the methods male-dominated societies employ to subvert female choice. Male insects may trick their mate with empty promises of food, but male human control of female reproductive choice includes arranged marriage, organized prostitution, even sexual mutilation in some contemporary cultures. Batten doesn't flinch from depicting some of the more

brutal manifestations of males' attempts to protect their genetic investment. At the same time, she realizes that modern societies restrict female reproductive choice by legal means. Laws banning contraception and abortion, for instance, can be seen in biological terms as attempts to ensure paternity.

Batten also deals candidly with sexual violence. Males of many species, including insects, fish, and birds rape when they "have been excluded from the usual avenue of courtship." Though recent theories propose that rape is not primarily a sexually oriented act among humans, statistically human rapists tend to be predominantly young, poor and uneducated, therefore less likely to attract willing females. Their motivation, however, may be less attributable to a desire for offspring at any cost than to frustration and hostility toward a female they perceive as otherwise unattainable.

Admittedly, this book portrays some harsh biological realities. None, however, is more frightening than the implications inherent in modern human competition for wealth and power. Males who succeed in the ruthless arena of business or war may attract more females, yet society as a whole suffers the results of such conflict. Mary Batten concludes with a plea for women to begin choosing mates with attributes likely to ensure the survival of our species in this turbulent age. As a male friend recently stated, women should choose men not for their ability to feed, fight and fornicate, but for their ability to help, hope and heal.

—Cathy Czaplak

**Native American Animal Stories**, told by Joseph Bruchac, Fulcrum Publishing (350 Indiana St., Golden CO 80401, 800-992-2908), 1992, 135 pages, softcover \$11.95.)

## CLASSIFIEDS

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**Illustration by John Kahiones Fadden, from Native American Animal Stories.**

Every culture has stories to teach children about the world and the creatures in it. If these native American stories occasionally evoke memories of the Grimms' Eastern European folktales, it's because their respective cultures had more in common with each other than either has with modern industrial society. Yet, though we raise our children on myths of science and technology, something about fairy tales transcends time and culture to fascinate each new generation.

In this collection, the simplest tales are the most accessible, especially for younger children. "The Woman Who Married a Frog" and "How The Butterflies Came to Be," for instance, could be fairy tales from any culture. Others, like the Apache tale, "The Boy and the Rattlesnake," portray a more realistic approach to nature, not necessarily unique to Native Americans. In this story a boy finds a half-frozen snake and, in pity, warms it to life against his skin. When the snake recovers, it bites its rescuer.

"Why did you bite me?" the boy said. "You said you would not bite me if I picked you up."

"That is so," said the snake, "but when you picked me up, you knew I was a rattlesnake."

The Welsh singer Tom Jones told essentially the same story in a ballad about 25 years ago. The major difference was that the human in the ballad was an adult woman, not a boy.

Most of these stories are much more complex and require some understanding of Native American beliefs. The original format, *Keepers of the Animals: Native American Stories and Wildlife Activities for Children* (Fulcrum, 1991), included considerable cultural background, but even then it's doubtful whether children could comprehend the spiritual significance of a tale like "Salmon Boy." To

many children, the story of a boy who insults the fish he eats, and then is transformed into a fish, would evoke the cruel and frightening monsters of ancient European tales, with their theme of transgression and punishment. The Haida tale, on the other hand, was meant to reassure children who were raised in the belief that souls were continuously recycled through all aspects of nature.

How, too, to explain to modern youngsters the rationale for hunting portrayed in the Cree Story, "How The People Hunted the Moose"? In a culture that believed animals were braver, stronger and more intelligent than humans, it seemed reasonable to assume the slain animal must have permitted the hunter to catch it. And, therefore, if the hunter wanted to succeed in the future, he must respect that animal's sacrifice. The Cree story is more typical of aboriginal beliefs than another selection, "The Alligator and the Hunter," in which the alligator's advice uncannily resembles the philosophy of 19th European wildlife management.

In the foreword to this book, Vine Deloria Jr. warns that, given modern children's ignorance of wild animals, such stories "are fraught with the possibility of misunderstanding unless some effort is made to provide a context in which the stories take place that is true to the natural setting and behavior of the animals." Given the tendency of 20th-century children's writers to anthropomorphize animals in a fashion totally opposite to Native American depictions, I'd add that children need at least some exposure to native spiritual beliefs if they're to understand the lessons embedded in these tales.

—Cathy Czapla

(Like Native American Animal Stories author Joseph Bruchac, Cathy Czapla belongs to the Abenaki tribe.)

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