

The Governor's Commission on the Humane Treatment of Animals

Meeting Minutes
December 17, 2018

1) The regular meeting of the Governor's Commission on the Humane Treatment of Animals was called to order at 1:00 PM in Room 203 of the Legislative Office Building by Chair, Patricia Morris

2) **Members Present:**

- a) Patricia Morris, Chairperson & Equine Association
- b) Lindsay Hamrick, National Humane Organization & Secretary
- c) Tom DeRosa, Dr. Jeri Zezula, Jennifer Eber, General Public
- d) Heather Faria, NH Federation of Humane Organizations
- e) Wendy Munroe, NH Veterinary Technician Association
- f) George Cook, Dog Owners of the Granite State
- g) Dr. Jane Barlow Roy, NH Veterinary Medical Association
- h) Chief Dean Rondeau, NH Association of Chiefs of Police
- i) Chairman John O'Connor, House Representative
- j) Senator Regina Birdsell, Senate Representative
- k) Dr. Stephen Crawford, Department of Agriculture
- l) Gary Lambert, NH Sportsmen

Public Present: Commissioner Jasper, Dept. of Agriculture; Joanne Schwope (public), Dara Forleo (public)

m) **Members Absent:** Sheriff Mike Moyers, Sheriff's Association; Sheila Johannesen, Animal Control Officers Association of New Hampshire; Steve Sprowl, Humane Cruelty Investigator; Kristi Atherton, NH Farm Bureau; Tom Seymour, Cynthia Collins, Marga Culp, Public

3) **Secretary's Report:** Lindsay presented the minutes from the November meeting. Rep. O'Connor motioned to approve the minutes as written. George Cook seconded. All other members voted in favor.

4) **Current Cruelty Cases & News**

- a) Trish presented two felony cases from Derry. One defendant was indicted for felony animal cruelty for beating a cat against the side of a building after the defendant pulled the cat out from under a car. The cat suffered a broken pelvis and broken jaw. The defendant has prior convictions for assault and criminal trespassing. In the second case, a defendant used a knife to cut up his brother's dog and dumped the body in a dumpster.
- b) Heather updated the Commission on the German Shepherd case which will be heard in January. The defendant was not required to pay the \$70,000 bond prior to appeal. The dogs are still in protective custody with the NHSPCA.
- c) Lindsay updated the Commission on the ongoing case involving 52 Labrador Retrievers from Marlborough. The trial has been continued again and is scheduled for the end of December. The majority of the dogs are now in foster homes through the Monadnock Humane Society and the case has cost the shelter over \$50,000.
- d) There are no new updates on the Great Dane cruelty case as the NH Supreme Court hasn't yet scheduled the schedule for motions.

5) 2019 Legislative Initiatives – list and include link to Google spreadsheet

- a) Bills have begun to be filed although language is not available for most bills. See attachment for the list of current LSRs. The Legislative Committee will review these bills and propose priority bills for the Commission to monitor and/or take a position on at the January meeting. Five of the bills deal directly with pet vendor regulations and costs of animal care associated with cruelty cases. There are also a number of bills about therapy, service and assistance animals.

6) Cruelty Tracking Subcommittee

- a) The Commission reviewed the Animal Cruelty Related Criminal Activity report created by the subcommittee. Jeri researched the NIBRS stats listed in the report and found that of the 78 cases listed, 68 were negligent cruelty and ten were intentional cruelty. Another case was also organized animal fighting. Dr. Zezula will send around the summary of the NIBRS summary and definitions. Jeri recommended we avoid the word “abuse” and stick to the legal language in the NH law which is based on negligence and purposeful cruelty. The court data in the report is the summary of cruelty cases while the law enforcement data helps to describe trends.
- b) George suggested that in the summary of findings and increases in charges and convictions, that it should be noted that there may be an increase in prosecution due to an increase in reporting of cruelty.
- c) Lindsay suggested that the report expand on complaints received by animal shelters that do not result in legal action to reflect the resources the shelters provide to owners to help their pets.
- d) Jennifer and Heather will meet and send out the updated draft for a formal vote in January.

7) Legislative Subcommittee

- a) The subcommittee did not meet but will begin meeting regularly in January. The subcommittee will review all 2019 bills deemed priority by the Commission and offer a review for the full Commission.

8) Funding & Education Subcommittee

- a) No updates

9) Other Reports

- a) Trish will send the draft of the Governor’s summary report to the Commission for review for final vote in January or February.

10) Prosecution Manual

- a) Lindsay will send around a new draft for review for the Jan meeting with a potential vote/further discussion at the Feb meeting.
- b) Jeri recommended an update/addendum to post to the website and then after 2019 legislative session, request a manual written with the AG’s office similar to other law enforcement manuals. The current manual is considered a “user manual” because the AG’s office did not draft it with the Commission whereas other manuals are co-authored by the AG’s office. Trish is concerned that because of the frequency with which the manual is used in the field, that an addendum would be too confusing. She will reach out to Susan Morrill for feedback.
- c) Representative O’Connor suggested including in the report to Governor Sununu a request that a draft would be sent to the AG’s office for approval

11) State v. Fay Amicus Brief Discussion

- a) Jennifer Eber mentioned that it’s difficult for the Commission to determine which points may be relevant to the Commission’s review until the briefs are made public.

12) Old Business

- a) Each member reported on the animal issues for which their organizations and constituents are most concerned at the November meeting. This is an updated list for those groups absent in November.
 - i) Dept. of Agriculture
 - a) Serves as a resource but doesn't have specific changes
 - ii) NH Veterinary Technicians
 - a) Licensing regulations for animal transports and pet vendors transporting animals
 - b) Cost of care as it impacts the reporting of cruelty and prosecution
 - c) Public education for animal husbandry and welfare

13) 2019 Meeting Dates

- a) January 28th instead of January 21st
- b) All others will be the 3rd Monday of the month

14) New Business

- a) The American Kennel Club has requested the Dog Owners of the Granite State weigh in on groomer licensing. Lindsay discussed the bill which aims to create a study commission to review groomer licensing and the Dog Owners would have a seat on that study commission. Texas and Colorado have licensing requirements and Connecticut did a study and created a licensing board under consumer protection.

15) Call to the Public

- a) Joanne Schwope, the owner of a Golden Retriever who died this year after being left in a dryer at a groomer's business, spoke about the need for the groomer study commission bill.
- b) Dara Forleo also spoke as an owner of a grooming business in support of the bill. She stated there are no regulations or internal oversight and that the grooming industry needs state oversight. There are 300 NH groomers in a social media group but the industry is largely opposed to licensing and regulations. Joanne's case is not the 1st case where an animal has died. Dara stated there have been four other animals who have died in the past few years. Chief Rondeau commented that rules and regulations help the industry by making it more professional while also protecting the business when something bad happens.

Representative O'Connor moved to adjourn the regular meeting at 2:05pm. Senator Birdsell seconded. All voted in favor.

Respectfully submitted by: Lindsay Hamrick, Secretary