

# NH Governor's Commission on the Humane Treatment of Animals

## Meeting Minutes

October 18, 2021

### Call to Order

- The regular meeting of the Governor's Commission on the Humane Treatment of Animals was called to order at 1:03 pm by Co-Chairs, Dr. Jeri Zezula and Jennifer Eber.

### Roll Call:

#### MEMBERS PRESENT:

- George Cook – Dog Owners of the Granite State & NH Musers
- Marga Coulp – General Public
- Jennifer Eber – Co-Chair, General Public
- Kurt Ehrenberg – Humane Society of the United States
- Elaina Enzien – UNH Co-Op Extension
- Heather Faria – NH Federation of Humane Organizations
- Gary Lambert – NH Sportsmen
- Wendy Munroe – NH Veterinary Technician Association
- Tom Seymour – General Public, Secretary
- William Wright – NH Sheriff's Association
- Dr. Jeri Zezula – Co-Chair, General Public

#### MEMBERS ABSENT:

- Jozi Best – NH Farm Bureau
- Jeb Bradley – (R-Wolfeboro) NH State Senator
- Cynthia Collins – General Public
- Barbara Comtois – (R-Center Barnstead) NH State Representative
- Dr. Stephen Crawford – State Veterinarian
- Tom DeRosa – General Public
- Sheila Johannsen – Animal Control Officers Association of NH
- Patricia Morris – Equine Associations
- Dean Rondeau – NH Police Chief's Association
- Jane Barlow-Roy – NH Veterinary Medical Association
- Steven Sprowl – SPCA Humane Cruelty Investigator

#### PUBLIC PRESENT:

- None

### Review and Approval of the September 20<sup>th</sup> Meeting Minutes

- Gary Lambert requested the minutes be revised to show he was present for that meeting and did not call in by phone as referenced. Wendy Munroe made motion to accept the minutes as amended, Tom Seymour seconded the motion. The motion passed with 8 votes for, 0 votes against, and 3 abstentions due to being absent (Elaina Enzien, Sheriff Wright, Kurt Ehrenberg).
- **Next Steps:** Dr. Zezula to upload minutes to the Commission website.

### Old Business

#### POISONING:

- Dr. Zezula and Jennifer Eber are working with NH State Representative Sullivan to revise existing law regarding the addition of poisoning. Representative Sullivan will be submitting this as its own LSR and is the sole sponsor at this time (A handout was emailed to Committee members prior to this meeting detailing the suggested language.)

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### NIBRS OFFENSE REPORT THROUGH 2020:

- Dr. Zezula presented a handout illustrating NIBRS data for 2020. Of special note the data included 6 bestiality cases that were not noted any other source consulted by the Commission. She also made the Commission aware that the definition of "Incident" varied greatly between numerous agencies complicating data comparisons and reporting consistencies between agencies.
- Sheriff Wright advised the NIBRS data better illustrates actions within the community and provide greater accuracy of the reporting. He said that NIBRS are records of crime, not investigations. Calls for service are also not included in NIBRS data. He also said that NIBRS data assists greatly in the improvement in existing law and provides a basis for new, or revised, law.
- Jennifer Eber added that she felt NIBRS data was mid-level in the reporting structure. Jennifer felt greater value would be realized if there were mechanisms in place for the data collection of report details including investigations and calls for service.

### SUBCOMMITTEE RESTRUCTURING:

- Dr. Zezula and Jennifer Eber led the discussion of the proposed sub-committees for this 2021-2022 session. Jennifer acknowledged that some of the committees could have a "light" year where this is not a biennial year requiring a formal report to the Governor's Office.
- George Cook suggested last year's subcommittees remain in place, though their goals and objectives may be subject to change as the year progresses. The other Commission members agreed. George and Jennifer Eber discussed that Commission members could submit requests to change subcommittee assignments.
- **Next Steps:** Dr. Zezula and Jennifer will tweak the description of each sub-committee to account for discussed changes and goals.
- **Subcommittee #1 (Data/Laws):** Its purpose this year will be to track and update existing data as well as participate, as may be needed, on survey activities. Current member assignments (subject to change) include Dr. Stephen Crawford, Heather Faria, Sheriff William Wright, and Tom Seymour.
- **Subcommittee #2 (New Legislation):** Its purpose this year will be to propose new legislation or revisions to the current laws to ensure/ improve safety and welfare of domestic animals and NH citizens. Of primary importance will be the research into prospective starvation legislation. Current member assignments (subject to change) include Marga Coulp, Trish Morris, NH Representative Comtois, and NH Senator Bradley.
- **Subcommittee #3 (Reporting):** Wendy Munroe felt the subcommittee should go further with the ACO duties identifying and/or investigating animal cruelty as part of their regular duties in their respective towns this year. Jennifer Eber said she would email the Governor's Office regarding a deeper dive into ACO functions in NH. Wendy Munroe offered to work with Jennifer Eber in crafting emails to the Governor's Office. Current member assignments (subject to change) include Wendy Munroe, Gary Lambert, Sheila Johannsen, and Chief Dean Rondeau.
- **Subcommittee #4 (Training):** Last year this subcommittee was tasked with the investigation and evaluation of training available (local, regional, and national) for the investigation and prosecution of crimes against animals and identify the target audience of such training (i.e., law enforcement officers, animal control officers, prosecution, and judiciary). This year's effort was

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not determined where three of last year's members were not present and the lone member in attendance is new to the Commission and the subcommittee. Current member assignments (subject to change) include Jozi Best, Cynthia Collins, Steve Sprowl, and Elaina Enzien.

- **Subcommittee #5 (Legislation Tracking):** This subcommittee will, again, track proposed legislation and lead Commission in preparing position statements, as applicable. Current member assignments (subject to change) include Dr. Jane Barlow-Roy, George Cook (Chair), Tom DeRosa, and Kurt Ehrenberg. (Please recall that Dr. Barlow-Roy agreed to remain on Legislative Committee. However, she will not be Chair of the subcommittee but is happy to update the Commission as info becomes available via email.)
- **Next Steps:** Dr. Zezula will send out a notice allowing members to change sub-committees or serve on more than one. Each subcommittee will need to "elect" a subcommittee chair who will be charged with coordinating subcommittee members and reporting results the Commission membership.

### New Business

#### FALL LSR's – SUBCOMMITTEE #5:

- George Cook led a discussion outlining the 2022 LSR (19) list and the 2019 list of 5 retained bills. There was not much to work with however as language of each 2022 LSRs have yet to be made available. Further discussion will ensue as more information for each LSR becomes known. It is hoped that this will be ready by our next meeting. George will email the lists to Dr. Zezula so she may forward to the Commission members absent from this meeting.

#### GOVERNOR'S OFFICE RESPONSE / COMMITTEE INITIATIVES:

- Dr. Zezula opened discussions with an overview referencing the previously emailed outline of responses from the Governor's Office. She advised the Commission that we can begin work on those initiatives approved. She also advised that we should perform our research before looking for LSR sponsor(s). We will need to obtain permission from the Governor's Office to further pursue.
- Of the nine (9) initiatives proposed, three (3) received full support from the Governor's Office. They are:
  - Including veterinary immunity for NH RSA 644:8-a (Animal Fighting) and NH RSA 644:8-g (Bestiality).
  - Clarification and / or merging NH RSA 644:8 and NH RSA 435 as they pertain to horses (Same penalties for cruelty offenses).
  - Adding starvation to the list of felony offenses in NH RSA 644:8, III-a.
- One (1) of the nine (9) received partial support.
  - Establishment of a task force charged with the investigation and prosecution of animal crimes in NH. The Governor's Office felt it would be tricky when it comes to funding, and this might be better reviewed during a budget year.
- Heather Faria suggested we try to add veterinarian immunity and starvation in NH RSA 644:8 along with poisoning.
- Jennifer Eber said we could research starvation information by looking at other states / municipalities in support of language development. She also suggested that this information be passed to Subcommittee 2 for advance work. This spurred debate over the definition of "starvation" and the importance of the research.

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- Elaina Enzien cautioned the Commission regarding thoughts on starvation where it is common practice to withhold food from livestock for up to 24 hours before slaughter and processing and is not considered abuse.
- Kurt Ehrenberg felt that we should take advantage of the current political climate, especially considering the ongoing support from the Governor. He and Heather Faria suggested we might be able to add proposals for starvation to 2022 LSR 2022-2301 (Poisoning).
- **Next Steps:** Begin research on starvation to develop appropriate language for legislation.

### NIBRS DATA COLLECTION & SURVEY

- Jennifer Eber reported that out of the meeting with the NH Department of Justice (DOJ) and the Department of Safety (DOS) there were some promising avenues to pursue. First, the DOJ has a new position of Community Resource attorney starting in 2022 that could be a good liaison for animal cruelty resources and data collection. Second, Dr. Zezula advised that Karen Lamb, DOS can develop customized reports from NIBRS data to assist Subcommittee #1. Third, Major Marasco offered to send out a survey on our behalf if we designed a brief survey to ask questions about animal cruelty incidents. Third, DOS had ideas of other agencies to whom the Commission could contact to find out about animal cruelty incidents, including NH DCYF and Elderly and Adult Services (BEAS) as well as the Nashua and Manchester Police Departments and the NHVMA. These agencies may agree to take a survey to help us in our data collection. During the meeting Major Marasco acknowledged that during COVID there was a perfect storm of more animals and more people at home and thus there has most likely been an increase in animal cruelty incidents.
- This led to discussion regarding survey formats and questions. It was agreed the survey should run between three (3) and five (5) questions. It was also agreed that the survey should be formatted to be useful by multiple agencies to maintain a degree of uniformity in responses.
- Heather Faria felt we should take full advantage of the DOS offer and that it would be beneficial to have DOS provide customized NIBRS data reports.
- Sheriff Wright said the Commission should put the survey in front of as many agencies as possible. He further suggested the survey go to State Police barracks, State Police Standards & Training Council, NH Sheriffs Association, and NH Chief of Police Association. He was concerned that DOS units may not be cognizant of neglect or abuse incidents while investigating other offenses. He also recommended more work be done educating police officers in general as his experience suggests most patrolmen have little working knowledge with cruelty, abuse, or neglect of animals.
- **Next Steps:** Commission will work on survey to send to Major Marasco et al and will review at November meeting.

### CRUELTY CASES:

- The Franklin animal cruelty case was scheduled for October 20, 2021. The prosecutor said, "His attorney asked to move everything to a status hearing in the future so he can speak with his client about the charges since Mr. Douville doesn't have his own phone. Before the judge continued it, I addressed the animal issue, stating he needed to get in contact with the shelter – the police have been trying to get in touch with him, his attorney has – because the fees are mounting, and he needs to address this issue because the shelter is looking to adopt them out." The prosecutor said her offer is going to include the bill for the shelter cost. The shelter's veterinarian of record took care of the medical bills free of charge. The prosecutor felt Mr.

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Douville will set up a payment plan through the Department of Corrections or COMP (if he agrees to the offer). Requests for information on how to listen in to the "telephonic" hearing were not returned.

- **Next Steps:** Tom Seymour to monitor developments and report.

### **Member/Guest Comments/Questions**

- None

### **Adjournment**

- Gary Lambert moved to adjourn the meeting. Heather Faria seconded the motion. The motion passed by unanimous vote.
- With no further business to conduct, Dr. Zezula adjourned the meeting at 2:55 pm.

### **Next Meeting**

- Monday, 15 November 2021 at 1:00pm in the second-floor conference room of the New Hampshire Department of Safety (33 Hazen Drive, Concord, NH).

Respectfully submitted,  
Tom Seymour, Secretary  
Dr. Jeri Zezula, Co-Chair  
Jennifer Eber, Co-Chair