

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

## Meeting Minutes

December 16, 2021

### Call to Order

- The regular meeting of the Governor's Commission on the Humane Treatment of Animals was called to order at 1:05 pm by Co-Chairs, Dr. Jeri Zezula and Jennifer Eber.

### Roll Call:

#### MEMBERS PRESENT:

- Jozi Best – NH Farm Bureau (Late Arrival)
- George Cook – Dog Owners of the Granite State & NH Musers
- Marga Coulp – General Public
- Dr. Stephen Crawford – State Veterinarian
- Jennifer Eber – Co-Chair, General Public
- Kurt Ehrenberg – Humane Society of The United States
- Heather Faria – NH Federation of Humane Organizations
- Gary Lambert – NH Sportsmen
- Tom Seymour – General Public, Secretary
- William Wright – NH Sheriff's Association (Late Arrival)
- Dr. Jeri Zezula – Co-Chair, General Public

#### MEMBERS ABSENT:

- Jeb Bradley – (R-Wolfeboro) NH State Senator
- Cynthia Collins – General Public
- Barbara Comtois – (R-Center Barnstead) NH State Representative
- Tom DeRosa – General Public
- Elaina Enzien – UNH Co-Op Extension
- Sheila Johannsen – Animal Control Officers Association of NH (Bereavement)
- Patricia Morris – Equine Associations
- Wendy Munroe – NH Veterinary Technician Association
- Dean Rondeau – NH Police Chief's Association
- Jane Barlow-Roy – NH Veterinary Medical Association
- Steven Sprowl – SPCA Humane Cruelty Investigator

#### PUBLIC PRESENT:

- Kristina Snyder – NH Citizens Against Recreational Trapping
- Cathryn Harvey – (D-Cheshire) NH State Representative / Ranking Member Fish & Game
- Bob Switzer – Twin States Animal Liberation
- B.J. Wahl – Twin States Animal Liberation

### Review and Approval of the October 18<sup>th</sup> Meeting Minutes

- With no revisions requested, Heather Faria made motion to accept the meeting minutes and Kurt Ehrenberg seconded the motion. The motion passed unanimously.
- **Next Steps:** Dr. Zezula to upload minutes to the Commission website.

### Future Meeting Dates / Venue

- The Department of Safety (DOS) conference room is booked with training sessions on many of the afternoons of the third Monday of the month going forward, so the search for a meeting location and/or new date to meet continues.

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- The Commission was reminded that Jozi Best, of the NH Farm Bureau, has a meeting space that we might be able to take advantage of, though the space does not have the equipment needed for remote sessions or call ins. Seating is limited to approximately 20-25.
- The Commission was also reminded of the conference space offered by Sheriff Wright at the Belknap County Sheriff's Office in Laconia, NH. This option does offer remote conference options and can seat approximately 100.
- Most spoke in favor of remaining at the DOS building, if possible. The facility has easy access and plentiful free parking. While the conference room offers ample seating, there remains a question as to what, if any, remote conference options may be available.
- The Commission expressed interest in meeting on Tuesdays, Wednesdays, or Thursdays. Jennifer Eber expressed a conflict with Tuesdays.
- George Cook thought the meeting day should not conflict with the Legislator's upcoming schedule. NH Representative Harvey (guest) advised that the anticipated schedule is likely to encompass Monday through Friday. Dr. Crawford said he had a Medical Board meeting on the third Wednesday each month.
- Discussion finalized Commissioner availability being the second Wednesday, second Thursday, or third Thursday each month.
- **Next Steps:** Jennifer Eber to (1) gain insight on meeting remote access permissions from the Governor's Office and (2) consult with DOS contact and arrange and advise of the next meeting location and date.

### Old Business

#### SUBCOMMITTEE ASSIGNMENTS 2021-2022:

- **Subcommittee #1 (Data/Laws):** Current member assignments include Dr. Stephen Crawford, Heather Faria, Sheriff William Wright, and Tom Seymour.
  - Its purpose this year will be to track and update existing data as well as participate, as may be needed, on survey activities.
- **Subcommittee #2 (New Legislation):** Current member assignments include Marga Coulp, Trish Morris, Kurt Ehrenburg, NH Representative Comtois, and NH Senator Bradley.
  - 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.
- **Subcommittee #3 (ACO Reporting):** Current member assignments include Wendy Munroe, Gary Lambert, Jozi Best, and Steve Sprowl.
  - Jennifer Eber and Wendy Munroe are reviewing what additional information is needed beyond the ACO survey results to determine proposed steps to address ACO authority/laws and possible proposed legislation.
  - Dr. Zezula was not sure how far this may be able to go as the ACO Association needed more organization.
  - Sheriff Wright mentioned that police certifications are under current review. The review includes consideration of the discontinuance of part-time certification. Such elimination would likely move ACO activities out of the police function and into municipal operations.
  - Dr. Zezula expressed concerns over the loss of formal training which would increase problems in the field.

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- Dr. Crawford noted that current RSA requires the provision of animal control services, not necessarily requiring an ACO and, perhaps, focus should shift accordingly.
- Jennifer Eber wondered if this Commission should get involved in determining ACO responsibilities. She further thought that it may be prudent to revise service requirements to include formalized training. She will discuss with Wendy Munroe (Subcommittee Chair)
- Sheriff Wright said that the entire proposal will hinge on funding. He suggested the Subcommittee investigate how other states handle ACO requirements. He also offered to work with the Subcommittee in this regard.
- **Subcommittee #4 (Training):** Current member assignments include Jozi Best, Cynthia Collins, Sheila Johannesen, Chief Dean Rondeau and Elaina Enzien.
  - This year's effort was not determined where three of the four members were not present.
  - Dr. Zezula did report that NH Police Standards and Training Council was in the process of posting training documents to its servers which will increase access.
- **Subcommittee #5 (Legislation Tracking):** Current member assignments include Dr. Jane Barlow-Roy, George Cook, and Tom DeRosa,.
  - George Cook continues to follow legislation. He updates the LSR listing according to changes as LSRs are processed.
- Dr. Zezula and Jennifer Eber reminded the Commission that members may also volunteer to assist other Subcommittees.
- Jennifer Eber offered to provide remote meeting tools to any Subcommittee needing such tools to conduct its work.

### LAW ENFORCEMENT SURVEY

- Dr. Zezula reported that Google forms will be used to conduct the survey. This platform will provide spreadsheet data and charting, as needed. She also advised that Major Marasco will assist by forwarding to law enforcement agencies.
- Jennifer Eber told the Commission that is the final discussion before the survey will be sent to Major Marasco for distribution. Jennifer questioned if the answer selections in Question 4 should be numbered in some fashion. Dr. Crawford agreed. Discussion on whether it would help to obtain more uniform responses to add numbers. Heather Faria voiced concern that adding numbers would detract from obtaining general information about how widespread animal cruelty is within New Hampshire.
- Jozi Best posed questions clarifying the intent of the survey. She felt the survey was geared towards collecting the viewpoint of law enforcement officers. This view was affirmed by multiple Commission members. Jozi also asked if the survey could be sent to other organizations for input. Heather Faria felt it could, though law enforcement is the best place to start. Marga Coupl also felt it could be configured for use with other organizations. Jennifer Eber said this could be included in future agenda discussion items.
- George Cook suggested changing questions to focus on the 2021 timeframe as this would provide the most current and relevant data. Sheriff Wright agreed, especially concerning law enforcement. The Sheriff felt this would help determine if agencies are reporting sufficiently to illustrate a true full picture. The Sheriff also said that ACOs tend to provide more investigative

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functions post incident than law enforcement officers. Sheriff Wright also mentioned that changes under consideration by the NH Police Standards and Training Council include the possibility of eliminating part-time certifications. This would heavily impact police departments and their use of officers for ACO activity, pushing many to consider civilian ACO agents.

### NH NIBRS CUSTOM REPORTS

- Dr. Zezula informed the Commission that Major Marasco offered to provide more detailed specific reporting of NIBRS data delineating incidents by location. Heather Faria asked if we were going beyond the authorizations granted by the Executive Order. Dr. Zezula said we were not and that this detailed specific reporting would provide the Commission with more useful information and, thus, greater options.

### LSR: ADDING STARVATION TO CRUELTY LAW

- Dr. Zezula noted the Commission has gained permission from the Governor's Office to pursue adding starvation to animal cruelty laws. She said there have been several cases lately. Commission members have provided examples of state law from other states for review. She also mentioned that the Commission will need to seek a legislative sponsor for the proposed bill. Dr. Zezula questioned what legislation starvation should be placed in and asked Subcommittee #2 to review. Kurt Ehrenburg said he would take the information to the subcommittee chair and have the subcommittee begin working on a proposal.
- Jozi Best asked if we could include mutilation as an additional issue to consider, though some consider ear tags, tattoos, and micro-chips as mutilation. Dr. Zezula reminded all that we would need permission from the Governor to consider.. Jennifer Eber asked Jozi Best if there have been cases involving mutilation to which Jozi said that she was no aware of one. Jozi asked what needs to be done for the Commission to pursue. Dr. Zezula said the Commission was not in a place to pursue, but the Farm Bureau certainly could on its own. Jennifer Eber said it could be placed on future agenda items for discussion and if the Commission feels this should be addressed, it can then be submitted to the Governor for approval. However, she reminded everyone, this legislative session submission timeframe has passed. George Cook concurred saying this subject was discussed last year in the form of ear cropping and tail docking, so it may well return for the next session.

### **New Business**

#### FALL LSR UPDATES & 2021 RETAINED BILLS

- George Cook led the discussion. The following is a breakdown of Commission's position on LSR listing:
- *MONITOR*
  - HB1066 (Animal Health Aspects of Cyanobacteria Blooms)
  - HB1186 (Companion Animals During States of Emergency)
  - HB1004 (Failure to Provide Info After Animal Injury)
  - HB1433 (Penalties for Poisoning of Dogs)
  - HB1226 (Prohibiting Declawing of Cats)
  - HB 1340 (Domestic Violence)
  - HB1107 (Renting or Leasing to Pet Owners)
  - SB202 (Prohibiting Sale of Cosmetics Tested on Animals)
  - SB368 (Animal Vending Licensing)
- *DELETE*

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- HB1091 (Search Warrants / Fish & Game)
- HB1299 (Appeal Process for Denial of Permits / Fish & Game)
- HB1201 (Damage by Bears)
- (HB) LSR 2022-22466 & LSR2022-2472 (Relative to Guardianship)
- HB1103 (Assets in Divorce Proceeding)
- HB1235 (Compensation Paid to Crime Victims)
- HB1308 Prohibits the Use of Rabbits for Dog Training
- HB1471 (Eliminate Single Use Plastic Carry-Out Bags)
- *RETAINED BILLS*
  - Retained bills are still pending.
- George Cook will update the LSR list and redistribute.
- With legislative committee hearings beginning on January 3<sup>rd</sup>, Jennifer Eber was concerned about gaining permission to testify from the Governor's Office. Representative Comtois said the committees would be up and running on January 10<sup>th</sup> and the General Session will begin on January 6<sup>th</sup> and 7<sup>th</sup>. Kurt Ehrenburg suggested referencing the online digital calendar to track timelines as they are set. Jennifer Eber agreed the Commission needs to watch closely so that opportunities to testify are not missed. Heather Faria mentioned, and George Cook agreed, that we are still at the very beginning of this process and many other opportunities would be available. Kurt Ehrenburg also agreed but suggested that testifying at the hearings is always best, provided the Governor's Office and time permits.

### CRUELTY CASES:

- The case opened in Franklin District Court on December 13<sup>th</sup> at 1:30pm. The defendant failed to appear despite speaking with his lawyer that morning regarding this hearing. It was later learned that the defendant went to the NH Superior Court in Concord instead of the Franklin District Court. The judge elected to NOT issue a bench warrant where the defendant has been in regular contact with his attorney. A plea and sentencing hearing was then scheduled for January 21, 2022 at 11:30 AM and will be held in person (in person hearing subject to change).
- The prosecutor had offered him to plea guilty to the cruelty charge as a class A misdemeanor with suspended time, payment of the shelter fees, and several conditions related to the ongoing care of the dogs.
- **Next Steps:** Tom Seymour to monitor developments and report.

### COMMISSION CORRESPONDENCE

- Dr. Zezula and Jennifer Eber led a discussion on recent correspondence received for the Commission.
- A complaint was submitted regarding the lack of adequate housing for horses at a location in Claremont. The complainant was notified that the Commission does not possess enforcement authority and suggested other reporting methods.
- A complaint was submitted regarding the lack of proper care given to pigs. The complainant was notified that the Commission does not possess enforcement authority, provided NH Cooperative Extension Information Sheets and suggested other reporting methods
- A complaint was submitted requesting complaint information regarding a breeder in the Dover area. However, the complainant was referred to police department and NHAMF.

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### Member/Guest Comments/Questions

- *COMMISSION*
  - Jozi Best asked about the proposed combination of NH RSA 644a & NH RSA 435 as they pertain to horses. Dr. Zezula said the Governor's Office has approved the review only. Jozi followed up saying she has information she would like to include when the Commission does get to that point. Dr. Zezula provided a brief overview of civil law and criminal law and that they do not agree.
  - Jozi Best asked again about gaining permission from the Governor's Office for including mutilation in the Commission's actions. Jennifer Eber said that the Commission spent considerable effort to narrow the list of actions which was then sent to the Governor's Office for approval. Mutilation was not on the list but we can have further discussion at meetings in 2022.
- *PUBLIC*
  - Ms. Synder raised the issue of legislation to ban the declawing of cats and there was discussion about what role the Commission should play in any proposed legislation banning the practice of declawing cats.
  - The Commission was asked to publish the link required for participation in the next meeting should a remote session be permitted. Dr. Zezula said we will, as we always have. Jennifer Eber added that telephone numbers for a conference call would also be provided if allowed.

### Adjournment

- Sheriff Wright moved to adjourn the meeting. Marga Coulp seconded the motion. The motion passed by unanimous vote.
- With no further business to conduct, Dr. Zezula adjourned the meeting at 2:45 pm.

### Next Meeting

- Jennifer Eber to follow up with the date, time, and location of the January 2022 meeting.

Happy Holidays!!

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