

NH Governor's Commission on The Humane Treatment of Animals
Monthly Meeting Minutes
March 9, 2022

Call To Order

- Having achieved a quorum, the regular monthly 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

Commissioners Present

- Jozi Best – NH Farm Bureau (late)
- Jennifer Eber – Co-Chair, General Public
- Kurt Ehrenburg – Humane Society of The United States (late)
- Heather Faria – NH Federation of Humane Organizations
- Wendy Munroe – NH Veterinarian Technician's Association
- Dr. Jane Barlow-Roy – NH Veterinary Medical Association
- Tom Seymour – Secretary, General Public
- Steven Sprowl – SPCA Humane Cruelty Investigator
- Sheriff William Wright – NH Sheriff's Association
- Dr. Jeri Zezula – Co-Chair, General Public

Commissioners Absent

- Senator Jeb Bradley – NH State Senator
- Cynthia Collins – General Public
- Representative Barbara Comtois – NH State Representative
- George Cook – Dog Owners of The Granite State & NH Musher's Association
- Marga Coulp – General Public
- Dr. Steve Crawford – NH State Veterinarian
- Thomas DeRosa – General Public
- Elaina Enzien – UNH Cooperative Extension
- Shelia Johannsen – Animal Control Officers Association of NH
- Patricia Morris – NH Equine Association
- Chief Dean Rondeau – NH Police Chief's Association

Public Present

- Catherine Falbe
- John Maynard

Review and Approval of Meeting Minutes

- Heather Faria motioned to accept the minutes. Wendy Munroe seconded the motion. Nine of the ten Commissioners approved with Dr. Barlow-Roy and Wendy Munroe abstaining.
- **Next:** Dr. Zezula to post meeting minutes on the Commission website.

Old Business

Subcommittee Updates

- *Subcommittee 1 (Data/Laws):* Heather Faria, Subcommittee Chair, advised the Commission that a report would be forthcoming under "New Business – Law Enforcement Survey Final Results".
- *Subcommittee 2 (New Legislation):* No report at this time.

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- *Subcommittee 3 (ACO Reporting)*: Wendy Munroe sees the potential for new survey questions for ACO use. Wendy plans to cover this with Jennifer Eber. As was agreed in last month's meeting, there is a need for more ACO research regarding applicable state laws. Jennifer Eber suggested the development of a short educational piece about ACO activity and responsibilities to help develop possible actionable items and questions. Sheriff Wright noted that RSAs lack definition regarding ACOs and that there is a lack of RSA controls and organization. Steve Sprowl said many towns are controlling and funding ACO functions, but many ACOs lack authority and adequate training. Steve also said that Maine requires ACO attend police academy training. Jennifer Eber thought we should compare other state requirements to see what they do and what might fit NH. Sheriff Wright thought perhaps something approximating county controls and organization might work well. Dr. Jane Barlow-Roy thought that a county co-op effort would be far more helpful than current arrangements. Jennifer Eber mentioned that we had had prior discussions about a lead prosecutor at the NH DOJ assigned to animal cruelty cases.
- *Subcommittee 4 (Training)*: No report at this time.
- *Subcommittee 5 (Legislation Tracking)*: Please refer to "Legislative Update" under New Business, below...

Right to Know Request for Cost of Care Information

- Dr. Jeri Zezula questioned about the differing fees established in the cost of care fund where the cost of care for small animals seemed high. Dr. Jane Barlow-Roy advised costs could be justified depending on specific circumstances. Heather Faria and Jennifer Eber questioned if the timing was good for discussion with only one application on file and Dr Crawford being absent. The Commissioners agreed this was a topic best suited for when Dr. Crawford was in attendance and when we had additional information. Steve Sprowl asked where do the funds come from as he was concerned that that Cost of Care was alleviating defendants from paying. It was explained that fees are derived from the State and are replenished if defendant is ordered and does pay restitution. The fund offers relief for immediate municipal, shelter, and veterinary are costs.
- **Next**: Hold topic for Dr. Crawford and additional information on Cost of Care.

Correspondence with Governor's Office

- Jennifer Eber has requested advice regarding a replacement for Gary Lambert who had represented the NH Sportsmen/women. Jennifer also asked if the Commission was permitted to support and work to revise divorce laws regarding the ability to amend divorce decrees with regard to companion animals.. Jennifer has yet to hear back from the Governor's Office on either topic.

New Business

Legislative Update

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- HB 1226 (Prohibiting Declawing of Cats) Dr. Jane Barlow-Roy reminded the Commission that this bill was designated as Inexpedient to Legislate and will not be moving forward. Kurt Ehrenburg had previously reported that the possible criminal penalties for veterinarians was a major sticking point.
- HB 1433 (Penalties for Poisoning of Dogs): This Commission elected to support this legislation. The House committee is still reviewing.
- HB 1186 (Companion Animals During States of Emergency): Kurt Ehrenburg told this Commission that the amended bill has been designated as "Ought to Pass" and has been placed on the Consent Calendar.
- HB 1107 (Establish Committee to Study Renting / Leasing to Pet Owners) has been designated as Inexpedient to Legislate.
- HB 1066 (Cyno-Bacteria Blooms) was amended and will move forward.
- All other legislation on this Commission's watch list is still in Committee. There was discussion about the gray squirrel hunting season and proposed legislation. It was noted that this bill is not in our Executive Order purview.

Law Enforcement Survey (Final Results)

- Heather Faria, Dr. Steve Crawford, and Tom Seymour performed a review of the survey results on Tuesday, 8 March 2022. Several key points were highlighted and are discussed below.
- Tom Seymour advised the Commission that the response rate did not provide a statistically valid representation of the population surveyed. It is accepted that a response rate of 10% is border line and 20% would be more appropriate. Tom also mentioned that email surveys have become most prevalent, and many are bombarded daily. Kurt Ehrenburg felt the response was good for an email survey and thought we should move forward. Jennifer Eber wondered how the Commission could solicit more responses. Should the survey be resent, re-written, condensed, or incentive added to obtain more responses?
- Dr. Jane Barlow-Roy asked how these numbers compare with NIBRS. Heather Faria noted that both indicated that cruelty and neglect issues are not a large NH issue. Heather pointed out that responses clearly showed that nearly 50% choose to involve outside resources when drawn into cruelty / neglect cases. Heather also pointed out that both the survey and NIBRS support the ideas presented in the earlier discussion of Subcommittee 3 where a larger state-wide network of qualified investigators would help smooth the investigation processes.
- Tom Seymour brought Dr. Steve Crawford's point that the Governor had earlier suggested he might consider establishing a task force with the intent of coordinating cruelty / neglect cases if it were a budget year because of the funding that would be required. Tom followed up reminding everyone that we are at the point where the Commission should not let much time pass – if the Commission decides to promote such a request. Otherwise, it would be another 2-3 years before the budget year.

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- Sheriff Wright said that intent is a major influence on decision by law enforcement when deciding what steps to take as criminal intent is difficult to prove. If criminal intent is not clearly demonstrated, on-site education is usually conducted. What NIBRS data there is not well supported due to the lack of communication and connectivity between law enforcement agencies at the municipal, county, and state levels.
- Steve Sprowl supported Sheriff Wright's remarks noting that the survey does not truly reflect his experiences. Steve routinely receives 40-60 calls a month, but when contacting municipal police chiefs many, if not most, will decline to become involved. Sheriff Wright also agrees that the incidents are under reported. The Sheriff also said he prefers calling for support. He said he finds other officers do not know the laws well enough to get involved or how to proceed. He said this is complicated by the ever-changing nature of NH RSAs.
- Jozi Best asked for the Commission to complete survey. Dr. Jane Barlow-Roy felt the answers would be skewed by each Commissioner's background. Dr. Jeri Zezula and Jennifer Eber felt this might be a more appropriate activity for a future follow-up survey.
- **Next:** Homework – Subcommittee 1 to review and provide overall perspectives of the results. Entire committee to consider what other information might we like to see and how we wish to use the survey results.

Reports on any Cruelty Cases

- No reports at this time.

Correspondence to The Commission:

- Correspondence was received from two individuals, both of whom attended this meeting. Please see "Comments from Members/Guests" section below.

Comments from Members/Guests

- Catherine Falbe provided a follow up on her daughter's difficulties with shared custody of a dog as a result of a divorce decree (Please reference the Commission's meeting minutes for February 2022 for specifics). Ms. Falbe reported that suggestions made by Chief Rondeau did not offer any relief or improvement. Where the courts have not provided relief, they are now pursuing legislative action to amend / revise NH RSA 458:16-a allowing courts to modify divorce settlement agreements taking into account the care and well-being of the animal. Ms. Falbe also expressed her appreciation for this Commission's time and compassion while talking with her and her daughter.
- **Next:** Jennifer will obtain more information from Ms. Falbe and follow-up with the Governor's Office on taking action to support any proposed legislation.
- John Maynard is retired military and recently returned to NH to work his own farm. He struggles with animal density on other properties throughout NH. John said if one is engaged with FDA programs, lands are evaluated by the FDA for density. He sees another farmer abutting his farm that seems to overload his land with animals. Such high-density rates can promote respiratory disease, the

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spread of parasites, and create environmental issues due to over-crowding. UNH has best practices, but laws are non-existent. Josie Best indicated that a town's conservation commission or selectmen can establish controls, though they would be more relaxed than FDA requirements. Most implemented controls revolve around environmental issues such as water source proximity. John agreed with Josie that neighboring farms deal with issues from run-off. Dr. Jane Barlow-Roy said the Department of Agriculture regulations pertain to populations with extreme disease and neglect. John also mentioned that livestock guardian dog nuisance barking is not controlled by exiting RSA. Josie Best asked if the situation existed prior to John moving in. John said that it did. Jennifer Eber said that with the lack of certain members with expertise in attendance, immediate answers would not be easily had. Dr. Barlow-Roy suggested calling the Department of Agriculture. Sheriff Wright said if no RSA existed, law enforcement has no manner to proceed. Jozi – if animals are maintained, perhaps other maintenance issues might apply (cared for, fed, etc.). Jennifer said we would carry this forward to another meeting for Dr Crawford.

- **Next:** Hold this animal density topic for Dr. Crawford.

Adjournment

- With no further business to conduct, Steve Sprowl motioned to adjourn. Sheriff Wright seconded the motion. The motion passed unanimously. Co-Chairs Dr. Jeri Zezula and Jennifer Eber adjourned the meeting at 3:02pm.

Next Meeting

- Date/Time: April 13, 2022, 1:00pm to 3:00pm pm
- **NOTE NEW LOCATION:** NH Farm Bureau (295 Sheep Davis Road, Concord, NH)