

NH Governor's Commission on The Humane Treatment of Animals
Monthly Meeting Minutes
November 10, 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 10:03am by Co-Chairs Jeri Zezula and Jennifer Eber

Roll Call

Commissioners Present

- Jozi Best – NH Farm Bureau
- Barbara Comtois – NH State Representative
- George Cook – Dog Owners of The Granite State & NH Musher's Association (L)
- Marga Culp – General Public
- Jennifer Eber – Co-Chair, General Public
- Heather Faria – NH Federation of Humane Organizations (L)
- Sheila Johannsen – Animal Control Officers Association of NH
- Tyson Morrill – NH Sportsmen
- Wendy Munroe – NH Veterinarian Technician's Association
- Dr. Jane Barlow-Roy – NH Veterinary Medical Association
- Tom Seymour – Secretary, General Public
- Sheriff William Wright – NH Sheriff's Association
- Dr. Jeri Zezula – Co-Chair, General Public

Commissioners Absent

- Jeb Bradley – NH State Senator
- Cynthia Collins – General Public
- Dr. Steve Crawford – NH State Veterinarian
- Thomas DeRosa – General Public
- Kurt Ehrenburg – Humane Society of The United States
- Patricia Morris – NH Equine Association
- Chief Dean Rondeau – NH Police Chief's Association

Public Present

- Natch Greyes, Government Affairs Counsel, New Hampshire Municipal Association (NHMA)
- Jana McMillan, Animal Control Officer, Town of Hudson, NH
- Peter Uliano, Animal Control Officer, Merrimack, NH Police Department

Review and Approval of Meeting Minutes

- Heather Faria motioned to approve the October 2022 (with corrections) meeting minutes. Sheila Johannsen seconded the motion. The motion passed unanimously.
- **Next Steps:** Jeri Zezula to post meeting minutes on the Commission website.

Old Business

Commission Open Positions

- 2 open seats remain. The UNH Cooperative Extension seat is expected to be filled by December 14th. The NH SPCA Cruelty Investigator seat has not been spoken for as of yet.

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Open Discussion Regarding Animal Control Officers (ACOs)

- Natch Greyes gave a general overview from his perspective with the NHMA. Natch relayed that typical ACO activities are controlled by local police departments. Call volume dictates ACO scheduling with staffing occurring during the busiest of times. Duties usually cover rabies or distemper call, animal encounters – including wildlife, animal neglect and cruelty cases, and stray animals – typically dogs. He found that the cost of care fund is applied towards the most expensive cases and shelters typically have to raise funds to offset the expenses associated with cruelty cases. Natch also said that most cases are treated similar to criminal cases, thus driving up the length of time to resolve through the court system. He would like to see cases expedited in the court system.
- Of note was Natch learning during this discussion that there is an Animal Control Officers Association in NH, something that he was unaware.
- Jennifer Eber asked Natch what he thought could be done with the definition and role of ACOs to make cruelty cases more easy to track and prosecute. Specifically, she wondered if Natch thought having a definition of ACO, the duties and powers in the RSAs could lead to improvement. Natch felt an option might be to mirror the special court docket system used with land use cases. With the time delays between charges being filed and Superior Court Grand Jury scheduling (once a month) a special court docket system would help create priorities and expedite cases.
- Jozi Best expressed concern over the length of time involved from the animal's welfare standpoint. She said that the time is often very long and animals are penned up in cages or kennels for the duration. Barbara Comtois advised that recent RSAs have been passed that should be expediting these cases. Jennifer Eber reminded everyone that the Commission has sought to include similar requirements in Court Rules but was informed it was not necessary. Jennifer again asked everyone to let her know if they become aware of cases where a status conference was not held within 14 days of charges being filed when animals were in custody.. Jennifer said she could use the information to further pursue Court Rule changes.
- Jennifer Eber asked Natch Greyes how many towns in NH have ACOs. Natch said he did not know but estimated approximately 25% of municipalities had ACOs. Sheila Johannsen said she has a list, but it is four to five years old.
- Jana McMillan said she is seeing many ACO positions not being filled with town budget restrictions as the prime cause. Jana did a survey of towns/cities and has a list of ACOs. Jana is willing to share it with the Commission. Sheila Johannsen mentioned that many police departments are moving away from ACOs and incorporating ACO activity into police work. Bill Wright said that police departments can issue warrants causing cases to move forward immediately. Jeri Zezula noted that ACOs are not certified law enforcement officers, further complicating the use of ACOs. Jeri also said that NH RSAs confuse ACO duties, ACO definitions, and fail to place formal authority with ACOs. Peter

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Uliano agreed that NH RSA ACO definitions and titles are confusing and that ACOs do not have authority to facilitate arrests.

- Jennifer Eber asked Jana McMillan and Peter Uliano what they would like to see in legislation. Jana cautioned that just because there is legislation it does not mean ACO work would be performed as needed. Especially where expediting cases and funding remains the most critical. Peter spoke to the irregularities in reporting. He said that each police department is different and, for the most part, all animal related calls are lumped under one general category. Jennifer also noted that incidents, where there is no charge may not be recorded at all. Barbara Comtois suggested centralizing such activity under the County Sheriff system would make it easier to oversee. Tyson Morrill suggested looking at the USDA Wildlife Service program used by NH Fish & Game. Tyson felt it was a good program that could act as a template from which to build. Bill Wright echoed the Barbara's opinion. He said the County Sheriffs can provide the best resources for tracking data and cases. However, he also said that at the County level political influences may impact funding and how responsibilities are assigned. He further said that where call volumes do not justify full time ACOs, need would have to be demonstrated to obtain the required funding.
- **Next Steps:** Barbara Comtois, again, extended an invitation for language to include in proposed legislation that would make animal cruelty part of the county sheriff's responsibilities.

Commission Member Town Survey Re: ACO's

- We will also follow-up with Jana for ACO information that has been collected statewide. We will probably not have to repeat the survey.

Update On Legislative Study for ACOs

- See Discussion Under "Open Discussion Regarding Animal Control Officers (ACOs)"

Survey of Organizations Questions

- Discussion Postponed to a Later Meeting.
- Heather Faria and Jane Barlow-Roy submitted Questions for Review. Jennifer will share with the full Commission.
- **Next Steps:** Jeri Zezula asked the Commission to think about new survey questions to help further define our goals. The objective would be to create a survey that Committee members could use with the groups they represent, including those representing the general public. The survey should include core questions that would be common to all respondents and other questions that would be targeted and specific to each organization

Training by NH Department of Justice

- Jennifer Eber advised that the NH Department of Justice is hosting the training events on January 13th and 20th. Each session will run from 1:00pm to 3:00pm. The sessions will be held remotely. Members asked if they could attend the training. Jennifer will check with David Rotman and report back to the Commission.

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- **Next Steps:** Members to reach out to Jennifer Eber if they wish to be involved in this training initiative.

New Business

Governor's Report

- Jeri Zezula and Jennifer Eber informed everyone the next Governor's Report is due June 30, 2023. More details are forthcoming. Heather Faria has already begun obtaining data for the report. Jennifer has reached out to the court system for data on cases.

Legislative Preview

- George Cook repeated that is nothing to review at this time.

Discussion Of Monitoring Legislation for This Year

- The Commission agreed it is best to wait until more legislative details are available.

Reports On Any Cruelty Cases

- Heather Faria advised that the Labrador case in Winchester will be interesting to monitor regarding cost of care. The shelter involved is applying for cost of care funding. Where the legislation specifically references municipalities, it is uncertain that the shelter will qualify for the funding.

Comments from Members/Guests

- Jane Barlow-Roy spoke of a program being initiated by a group of New England veterinarians. The "Responsible Pet Acquisition" program's focus is on the online sales of puppies. There is concern over the lack of controls and oversight of the sales. The general public may not be aware of the legal requirements involved, such as obtaining a health certificate. There are already scam warnings about people paying the money but never getting the puppy. There is also concern that people may pay money and get animals in poor health. Jane said the primary goal is on education. The plan is to start on a small scale and build upon the successes. Marga offered to get involved.
- **Next:** Jane asked if anyone was interested in helping with this "buyer beware" program to contact her directly.

Adjournment

- With no further business to conduct, Bill Wright motioned to adjourn. Barbara Comtois seconded the motion. The motion passed unanimously. Co-Chair Jeri Zezula adjourned the meeting at 11:58pm.

Next Meeting

- Date/Time: **Thursday, December 8, 2022 / 10:00am-12:00am**
- Location: **NH Executive Council Chambers
NH State House, Room 207
107 North Main Street
Concord, NH**

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Respectfully submitted,

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