



Irish Wolfhound Club of America, Inc.

April 28, 2010
Senate Appropriations Committee

Subject: **OPPOSE SB 1277** as Amended on April 27, 2010
VOTE 'NO' ON SB 1277

Dear Senators:

I am writing on behalf of the Irish Wolfhound Club of America (IWCA) and the IWCA Legislative Committee (IWCA-LC). The IWCA is the parent club for Irish Wolfhound owners nation-wide, as well as the anchor for 14 regional and local clubs. Two of the oldest of those regional clubs are located in California, thereby giving this breed a substantial California presence with a strong vested interest in the activities of its elected officials.

The IWCA and IWCA-LC oppose SB 1277 as amended on April 27, 2010, because it is a flawed piece of legislation that creates an animal abuser registry and funds elective surgeries for pets. We therefore request to be included in the numerical individual **opposition** count for any bill analysis. Additionally, we request that our opposition not be withdrawn except by my written consent.

Senator Florez may have had good intentions; however, he has authored an ill conceived bill whose potential for creating unwarranted hardship for innocent animal owners is virtually infinite. Animal owners who spay or castrate their animals are accused of abuse, but even more frequently, animal owners who do not spay or castrate their animals are accused of abuse or at least neglect. Animal owners who leave their dogs outside tethered to trolley lines (giving the dogs 250 square feet or more to move around in) are considered cruel by some people, but animal owners who keep their dogs in crates when the owners are not there to supervise are considered cruel by other accusers. The list of animal husbandry practices that animal owners disagree on is endless and fluid. The only certainty is that, like the sex offender registries, an animal abuse registry is sure to be governed by a "J'accuse" ambiance that can be depended on to do exactly nothing to prevent or minimize incidents of genuine abuse of animals.

The sex offender registries have not only created unintended costs and consequences; they also have a high error rate estimated at 25% for the listings. One such case is a man's home was broken into and he was severely beaten requiring hospitalization due to a mistaken home address listed in the sex offender registry. The man was not a sex offender. Who will pay for any unintended consequences when the animal rights extremists harass or attack people living at addresses listed in an animal abuse registry? Will the state pick up the tab when innocent victims are mistakenly harassed, attacked, or murdered?

SB 1277 proposes to fine a convicted animal abuser on top of other penalties, \$200 for misdemeanor animal abuse convictions and \$500 for felony animal abuse convictions to fund the animal abuse registry.

Further, this bill proposes to create a new funded registry for those convicted of animal abuse despite the existence of a national animal abuse registry that already exists at: www.pet-abuse.com/ Additionally, the **existing national animal abuse registry uses no California public funding!** Creating a California registry would be redundant and add an unnecessary local government burden with the required enforcement of a new registry.

Senator Florez' bill is an unfunded mandate, yet it demands funding for two unrelated new programs, one for an animal abuse registry and one for a spay/castrate program, which violates the California Constitution's prohibition against creating two unrelated programs with one bill. Local governments do not need to be unnecessarily financially burdened by the unnecessary responsibility of creating new bureaucracies to administer a redundant animal abuse registry coupled with spay/castrate programs.

During a time of severe budget constraints that have led to tens of thousands of police officers, fire fighters, teachers being laid off, it is hard to comprehend why legislators at the Capitol would want to establish a state-funded program to fund elective surgery for pets. While the IWCA fully supports **voluntary spay-castrate programs**, such as the spay/castrate check box on our tax forms and private spay/neuter funding efforts, we do not believe state funds should be used when higher priority state programs are under-funded and many have been laid-off as a result.

As amended, SB 1277 would theoretically generate funding through additional penalties on convicted animal abusers. But those fines are inadequate to fund a pet abuse registry on top of the inadequately funded sex offender registry we currently have. The bill analysis itself states: "...in general, criminal fines are often hard to collect and have not been found to be a reliable source of funding." Otherwise funding will have to come from the state's general fund, which has multi-billion dollar deficits as far as the eye can see.

We do agree that animal abusers should be dealt with harshly when they come before the court system. In addition to the harm caused to innocent animals, studies have shown animal abuse can be a possible indicator for future violent behavior towards humans. Some animal rights organizations currently have animal abuse registries, which contain the names of animal abusers and the nature of the crimes. We recognize, however reluctantly, the right of private groups to establish registries that contain information that is already a public record. We do not agree that creating another state bureaucracy that California can ill afford, anyway, is the way to go.

The IWCA-LC on behalf of the IWCA membership, many of whom are residents of California, respectfully urges you to vote '**NO**' when SB 1277 is brought to a vote.

Respectfully submitted,



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Legislative Committee
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