

This Week in Animal Protection, December 19-31, 2021

From [Nathan Winograd](#)

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These are some of the stories making headlines in animal protection:

- Out of the shadows and into the sun. Dogs identified as “pit bulls” are welcome again in Parsons, KS. The City Council overturned the former ban.



- The New York Attorney General has filed a lawsuit against a pet store alleging that the store knowingly sold sick puppies from puppy mills and some “died within days or weeks of purchase.” The AG also successfully secured a court order that prohibits this pet store from purchasing any new animals, requires a veterinarian appointed by the Attorney General to examine all puppies currently in their possession before sale, and freezes their bank accounts to “potentially pay restitution to impacted families.”

- “Individuals with felony convictions of a violent nature are prohibited from possessing firearms or ammunition, yet someone who tortures dozens of dogs for years has no restricted access to animals. How does this make sense?” It doesn’t. So advocates in South Carolina are trying to change that: “Our animals deserve a statutory penalty that prevents those convicted of animal cruelty from owning, caring for, living with or working with animals...”
- The family of Saint, a dog who was physically abused and then killed at ACCT Philly — the organization that runs the Philadelphia, PA, pound — has filed a lawsuit against the agency, accusing it of negligence, fraud, and intentional infliction of emotional distress.
- A federal court of appeal has rejected a lawsuit by an individual in Guam who was seeking to overturn the federal ban on cockfighting. Cockfighting is illegal in all 50 states and all U.S. territories. The petitioner claimed cockfighting “is deeply ingrained in the island’s history, tradition and culture” and is thus a fundamental right. The Court rejected the argument. The loss for the proponents of this kind of animal abuse is the second defeat this year.
- Eko, an endangered tiger at a Florida zoo, was shot to death after a janitor entered an area that was off limits and stuck his arm in an enclosure to pet the tiger and was bitten. A responding police officer says he shot and killed the tiger because the tiger would not stop acting like a tiger. Think about how many people had to fail Eko to get to the moment when the police officer who was called to the scene shot and killed him.
- A new study finds that more animals are injured or killed on United Airlines than any other other carrier. Rounding out the most unsafe airlines for pets, according to the report, are Delta Air Lines, American Airlines, and Hawaiian Airlines. The best? “In 2020 alone, Alaska Airlines transported more pets than any other carrier — a total of 107,042 animals — and reported zero incidents.” I also look at how much progress we have made to make the skies friendly for animals.

Food for thought:

- Frodo, “The last surviving pit bull rescued from Michael Vick’s massive dogfighting operation has died.” Tributes to Frodo, and the other victims including Jonny Justice who died just two days earlier, have poured in from across the country. *The Washington Post* wrote that as these dogs “went on to live as family pets or at sanctuaries, their everyday lives became a testament to the power of rehabilitation. For years, leaders in animal welfare have praised how these dogs, once viewed as damaged beyond repair, changed the perception of animals seized from dire circumstances.” Like *The Post*, other publications have also focused on how the surviving dogs

showed remarkable resilience and ultimately became beloved and happy family pets. This is as it should be. But I focus on the person responsible for the trauma because despite the enormity of his crimes, Vick has never taken full responsibility and has never fully acknowledged what he did to those dogs. Instead, he laments what he lost after getting caught — the largest paycheck of any NFL player — and blames others, saying those “who didn’t have my best interests at heart” were the ones “to take all that away from me.” These are not just the sullen grumblings of a fallen celebrity who got caught. A growing number of academics are also recasting Vick as “victim” rather than perpetrator. These claims are dishonest and cannot be allowed to go unchallenged.

- As young animal advocates in the 1990s, Jennifer, my wife, and I battled the dysfunction we inherited in sheltering, including a fight to save California's cats that introduced us. The Fund for Animals and the Humane Society of the United States were trying to pass two laws in California. One was AB 302, which would have created a leash law for cats, making it illegal for cats to be outdoors on threat of round-up and killing. The second law, AB 1000, would have required all cats outdoors to have proof of a rabies vaccination and would have given animal control officers the authority to kill cats in the street, if they didn't have a rabies tag on them even though there had not been a cat to human rabies transmission case in the United States for half a century and California at best saw one cat rabies case a year. The head of the Fund for Animals made the argument that it should be illegal to trap cats, except for the purposes of proper disposal as if they were nothing more than trash. Listen to how these experiences inspired our goal to reform the shelter system and create the nation's first No Kill community in Part 2 of our series: “Yesterday, Today, and Tomorrow: Animal sheltering in the United States.”
- We celebrated Oswald, my dog’s, Gotcha Day. We adopted him seven years ago. It was Oswald's best day ever. Of course, for a dog who is loved, every day is the best day ever. But there are a few that are especially great: that day, the day he was pulled from the pound, and September 22, 1998, a day he didn’t even exist yet. On September 22, 1998, California Governor Pete Wilson signed Senate Bill 1785 — a law I worked on — making it illegal for shelters to kill animals if qualified rescue groups offer to save them. In the county where Oswald was sitting in the pound, not a single animal was sent to rescue before the law because of a “No Rescue” policy. It now has no choice but to do so and 4,000 animals are saved each and every year by rescue groups from this one shelter alone. Oswald was one of them. Picked up as a stray, he was skinny, traumatized, had kennel cough, and a cherry eye. He was on his last day before his scheduled

killing when a rescue group pulled him, nursed him back to health, and seven years ago, adopted him to us. Thanks to SB 1785 and the rescuer who pulled him, Oswald — and 85,000 other animals like him every year — will have the best day ever for years to come. We need to give animals in other states the same protection by passing Rescue Rights legislation everywhere.

Looking Back:

- My top Facebook post of the year was about finding two dehydrated mice stuck on a glue trap thrown out on the side of the road. The two critters were trying to free themselves and clinging to life. As I wrote, “When people ask why I do not lose hope at how incivil people can be to animals, I always talk about the progress we’ve made in so many different areas, that people can surprise you, and remind them we have to take the long view. Sure we have a long way to go, but, as a society, we have already come so far. But days like yesterday admittedly knock me down. This morning, I got back up as we all must. Not only did we make a difference for two of our fellow earthlings, but we posted to Next Door and gently asked our neighbors to embrace a kinder and more inclusive world view. And we will hope that they have the ethical maturity to accept the message. At the very least, perhaps they will learn that though they might not care, other people do. And by learning that they do, maybe we will have planted a little seed that will someday flower.” The post was seen by 3,005,825 people, generated over 5,000 comments, 17,000 likes, and 16,000 shares.
- My most popular article on Substack was “The Co-optation of Austin Pets Alive,” where I show how the organization, which once championed No Kill, became not just corrupt, but cruel. This includes: 1. Forming a committee to shield abusive directors from public accountability; 2. Featuring abusive directors at APA’s conference; 3. Encouraging shelters to leave kittens and other needy animals on the streets; 4. Defending the killing of healthy and treatable dogs and cats; and, 5. Promoting books which disparage rescuers and shelter volunteers, perpetuate harmful stereotypes of women and people of color, defend dogfighters, and promote the killing of marine mammals. The article provides a cautionary tale for other organizations.

And, finally, 914,892 animals have so far found homes during the “Home 4 the Holidays” pet adoption drive between Thanksgiving and New Year’s Day. By the end of the weekend, roughly one million animals will have found homes. The campaign was not without “controversy.”

In 1999, a small shelter in San Diego launched what it called “Home 4 the Holidays,” a pet adoption drive

to place animals in homes between Thanksgiving and New Year's Day. A handful of other San Diego shelters joined the effort. In 2014, the campaign reported over 4,000 participating shelters and over 750,000 animals adopted. It has topped 1,000,000 adoptions ever since.

Of course, shelters don't have to officially join Home 4 the Holidays to do such adoptions and many shelters and rescue groups that do holiday adoption campaigns do not; Home 4 the Holidays did not invent the concept. In fact, even at the time of the campaign's launch, Holiday adoption drives were not a "new" idea. Progressive shelters had been doing them for years. But what the Home 4 the Holidays program did do was brand, expand and aggressively promote the concept. These changes, combined with successfully marketing the idea nationally, led to an institutional shift in thinking which resulted in many regressive shelters that refused to do such adoptions doing an about face to embrace them.

The success of the Home 4 the Holidays campaign and the number of shelters participating gave them permission to do so, too. Today, holiday adoption drives are not controversial (though objectively speaking, they never really were, or at least they shouldn't have been). But back then, some shelters refused to do any adoptions during the holiday season. Why? Because for many years, the nation's large non-profits opposed them and schooled shelters to do the same.

In fact, Home 4 the Holidays was launched, in part, in response to this traditional shelter dogma, led by the Humane Society of the United States, that said shelters should not do adoptions during the holidays, arguing that "a dog adopted in December would be returned to the shelter in January."

At the same time, HSUS was also tenaciously opposing other programs and services which would have provided those shelters with alternatives to killing, effectively consigning the animals who might otherwise have been adopted during late November and all of December to death. As late as 2008, HSUS was still telling shelters not to do holiday adoptions and discouraging families from seeking to adopt. "Adoption is the best way to add a new pet to any family," they wrote on their website at the time. "Just wait until after the gifts have been opened and the New Year's corks have been popped. Your decision to wait may be the best gift you give your family this holiday season."

Thanks to campaigns like Home 4 the Holidays, they are not saying those things anymore. And 1,000,000+ animals every year no longer face the needle or gas chamber.

Onward and upward in 2022 until every shelter becomes the safe haven they are meant to be and every animal is given the loving home that is their birthright.