W. Va. Bans Sale of Pound Animals for Research

Seven long years of hard work and a combined final effort by humanitarians, along with ammunition provided by The HSUS, paid off in April as West Virginia passed a law to prohibit the sale of animals from pounds to research facilities.

"One can't give enough praise to the many organizations and individuals that worked so hard to achieve this glorious success," states Sandy Rowland, director of the GLRO. "Their strategy of being one united, statewide force to help pets [stay] out of laboratories was essential for success against the hardworking opposition."

West Virginia humanitarians discovered just how formidable the opponents to such legislation could be when, in 1987, an anti-pound seizure bill died before it could be passed. Lobbyists from the state's two medical schools at West Virginia University and Marshall University argued that pounds were useful sources of experimental animals, especially since, as one supporter put it, "those animals are going to die anyway." One senator even described the bill as "a bleeding-heart piece of garbage."

With a clearer picture of their opponents in mind, humanitarians prepared in 1988 for what was to be a massive and successful effort to get legislation passed against pound seizure. Mary Jo Hanson of the Kanawha Action for Animals attended the HSUS annual conference in October 1988, to meet with Rowland. Together they decided that education about the issues would be the key to mobilizing the public support they felt still existed from the last effort.

On December 3, 1988, 45 people attended a workshop in a Charleston, W. Va., church, assembled there through the joint efforts of Kanawha Action for Animals and the GLRO. Martin Stephens, director of laboratory animal welfare for The HSUS, spoke to the group, along with several state delegates including Sharon Spencer, Jim Humphreys, Ramona Cerra, Peggy Miller, and Sen. John Boettner.

"One of the goals was to counter the argument of medical researchers who erroneously reduce the issue to one that pits human health against animal welfare," Rowland said. "Opponents to a bill protecting pets in shelters continually argue continued on page 2

Oil Pond Damages Ohio Wild Birds

Wildlife rehabilitators in the Lorain, Ohio, area have been deluged with reports of oil-soaked birds, including Canadian geese, a great blue heron, and various species of ducks. Unlike the oil spills of Alaska and elsewhere, this oil is being purposely retained in a "pond" outside a major steel manufacturing plant where pollutants are discharged. The oil pond has existed for many years, but when wildlife rehabilitators Rick and Claudia Sahr saw an alarming number of bird deaths and began receiving oil-soaked birds one and a half years ago, they started work to protect the birds from the deadly pond.

The Sahrs contacted the GLRO for assistance. Program Coordinator Robin Weirauch participated in media interviews and contacted Environmental Protection Agency (EPA), U.S. Fish and Wildlife, and Ohio Department of Natural Resources (ODNR) officials to help verify the courses of action available. Weirauch also supplied ODNR officials with technical information and names of people who have solved similar wildlife problems.

While a permit for the retention pond continued on page 3
that, without research on animals, children and others would suffer and die needlessly. However, passage of this bill would not halt research, but just shift some of it from being suppliers of friendly and trusting pets to the GLRO in January of this year, the GLRO sought to get the facts about pound seizure to the public, the media, and the legislators. The GLRO specifically detailed how pound seizure undermines effective animal-control programs.

“Most people do not want to take a lost dog or cat to a shelter if they think it will ultimately end up in a laboratory,” explained John A. Hoyt, president of The HSUS, in a letter to Gov. Gaston Caperton of West Virginia. “They would rather turn these animals into the streets than take them to a shelter they fear serves only as a supply house for research,” Hoyt said. “This not only undermines effective animal control, but it also increases the cost of these important local programs.”

The West Virginia medical research community mobilized to form a Research Information Committee and introduced its own bill to mandate pound seizure. In response, humanitarian groups stepped up their education efforts, buying newspaper ads to encourage citizens to support the anti-pound seizure bill and oppose the research bill. A reception for state legislators was held in February, and Kanawha Action for Animals and the Kanawha-Charleston Humane Association sponsored a forum on animal rights.

These combined efforts paid off—the pro-research bill was defeated and the anti-pound seizure bill became law, making West Virginia the first state to pass such a law in the past three years.

Rowland summed up the dominant public opinion in the highly charged debate, saying, “West Virginians can now rest assured that humane law, making them safe for pets who have slept on their beds and been part of their family will not be burned, irradiated, shot, infected, starved, poisoned, shocked, or otherwise mistreated in laboratories by suppliers of unscrupulous laboratories.”

A record gathering of cruelty investigators from West Virginia, Michigan, Ohio, and Indiana convened May 10 and 11 in Bowling Green, Ohio, to attend a workshop entitled “A Professional Approach to More Effective Cruelty Investigations.” Participants rated the workshop highly for its attention to the most troublesome areas of animal-cruelty investigations—relationships with prosecutors, judges, and veterinarians—and how to resolve these problems professionally and humanely. Speakers were area professionals, including a prosecuting attorney, municipal court judge, veterinarian, and an expert on non-traditional cults, as well as GLRO staff.

The investigators had the opportunity to pick the brains of their local official counterparts and to gain a better understanding of the vital components of cruelty investigations.

Animal-cruelty investigations can no longer be viewed as a low-priority community problem. National experts agree that cruelty is directly linked to many serious human crimes and abuses. Cruelty investigators must present a professional, knowledgeable image in the demanding, fast-paced world of law enforcement in order to receive acceptance and cooperation from other agencies.

Plan to Attend The 1989 HSUS ANNUAL CONFERENCE

This Year’s Theme: “Sharing the Earth”

The Westin Galleria Hotel Houston, Texas October 25–28

For more information contact: The HSUS headquarters office at (202) 452-1100 or the GLRO, at (419) 352-5141.

Ohio Wild Birds

had been issued by the EPA, the permit did not address wildlife damage, and the EPA does not regulate wildlife matters. The U.S. Fish and Wildlife Service, however, has a law-enforcement division responsible for the Migratory Bird Treaty Act, which forbids killing fowl directly or indirectly. The service can contact anyone responsible for wildlife destruction and request specific action to prevent further destruction. If the party responsible does not take that action, then the service can impose fines on the responsible party and prosecute for violation of the law.

On the Road with the GLRO’s Robin Weirauch

There are staggering 320 counties in the Great Lakes Region of The HSUS, most of which have an animal shelter of one sort or another, run by either a humane society or a county/city government. It is nearly impossible to visit all 320 counties, so a great deal of my contact with municipalities and humane societies is over the phone. When personal, practical visits from the GLRO have helped build a relationship between the community and animal-welfare and protection leaders who are struggling to improve conditions for animals.

Of the many counties I have recently visited, two are in unusual predicaments. The government of Jackson County, Ohio, has chosen to discontinue the services of a full-service dog warden or proper animal shelter. The appointed dog warden receives a small amount of money for each dog he houses in a poorly renovated brick building on his own property. There are no dog-warden patrols; dogs must be taken to the remotely located shelter by the citizens personally. The dogs are later trucked to a neighboring county’s shelter if unclaimed or unclaimed. In addition, cruelty charges were filed against the dog warden resulting from a citizen complaint that alleged dead dogs were being consumed by live ones. For a year or more, the charges languished until they were eventually dismissed. The case was subsequently reopened, but a motion to dismiss the charges was filed and, as this report goes to press, is awaiting action by a Clay County special prosecutor.

The humane societies in these two counties are not presently in a position to step in and operate or build a shelter. The strategy here, as it should be in other counties, is not to figure out how the humane society can take on this huge responsibility, but rather how to get the county government to fulfill its fiscal responsibilities. Humane organizations that must also operate a shelter are limited in their ability to minister to other important matters such as humane education, pet sterilization, and animal legislation.

The GLRO continues to encourage citizens to become actively involved through community action and to have an animal shelter or proper animal-protection organization action. For more information on how to improve your local shelter or animal-control program, or write the GLRO for details.
**DIRECTOR’S COMMENT**

by Sandy Rowland

Past editions of the GLRO Report have detailed a very fruitful dogfight raid that took place in southern Ohio on June 16, 1988. The GLRO was fortunate to work on the raid with the Clermont County Sheriff’s Department, the Clinton County Sheriff’s Department, and the Cincinnati office of the Federal Bureau of Investigation. The efforts of these agencies resulted in five persons pleading guilty to state felony dogfighting charges. Kenneth Gaines pleaded guilty to two counts of dogfight charges, a felony under Ohio law, as well as a federal misdemeanor charge of possession with intent to distribute marijuana, a charge resulting from the dogfighting investigation. Gaines is serving a six-month federal prison term on the drug charges as well as 60 days concurrent time for the dogfight charge. He also forfeited $6,000 in cash and all dogfight paraphernalia found on his property.

Kathy Bell Gaines was sentenced to one year in prison, which was suspended. She served 60 days in jail and is presently on three years’ probation for her involvement.

Greg and Samantha Lowe pleaded guilty to three counts each of felony dogfighting. Each was sentenced to one year in prison on each count, five years’ probation, and a $6,000 fine. They also cannot own dogs listed as vicious in Ohio for two years, and they are subject to unannounced inspection for dogs. All of the jail time was suspended, along with half of the fine. The Lowes had to pay all court costs.

John Rager was sentenced to two years in prison and a $250 fine. The prison term was suspended; instead, Rager must serve two years’ probation and 30 days in the county jail.

The GLRO informed the United States Kennel Club (UKC) of the involvement of the Lowes and the Gaines in dogfighting. The UKC has barred each for life.

The GLRO is also proud to be associated with The Great Lakes Animal Fighting Taskforce (GLAFT), which offers a reward for information of up to $1,000 through its 24-hour animal-fighting hotline. It was through the hotline that the tip leading to the raid was received.

The hotline is run in cooperation with Montgomery County Animal Control in Ohio. The new number is (513) 898-8306.

We urge local organizations to support the hotline by contributing $25 per year toward its operation and reward fund.

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**LEGISLATIVE ISSUES**

**Indiana**—Hoosiers should give themselves a much deserved pat on the back for their successful endeavors in early 1989 to combat efforts to legalize greyhound racing in Indiana. Many local groups and individuals focused their attention on this issue in order to enlighten the general public about the cruelties in greyhound racing. Proponents of greyhound racing fought with equal determination and zeal, but, this time, the victors were the greyhounds. The Indiana legislature ended its session failing to pass a law permitting pari-mutuel gambling on greyhound racing.

**Michigan**—State Rep. Mat Dunaskiss is expected to introduce a comprehensive exotic-animal ownership bill in September. His office has solicited input from all parties involved. The GLRO will assist in securing legislation to solve some of the many problems involved in private ownership of exotic animals.

**Ohio**—Ohio’s anti-cruelty statute is outmoded and desperately in need of change to clarify what constitutes neglect. Cases involving collars imbedded in dogs’ necks, dogs kept on short chains, or makeshift or shoddy shelters, are not always considered intentional neglect in the eyes of some Ohio courts.

Responding to the need for change, the newly formed Ohio LAW coalition has successfully worked to pass a bill updating Ohio’s present statute through the Ohio House. It is expected to be heard by the Senate in Fall 1989.

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Reflect for a moment...

**How can I help animals even when I no longer share their world?**

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