Enlarging Our Outreach
Two organizations join The HSUS’s endeavors

More than two years ago, The Humane Society of the United States embraced with great enthusiasm the creation of the Center for Respect of Life and Environment. Conceived at an informal gathering of HSUS board member Robert F. Welborn, *animallines* editor Ed Duvin, and myself, the Center has now blossomed into a vital extension of the program and activities of The HSUS in seeking “to bring together individuals from every corner of the globe and from every walk of life to focus on one central concern—the protection and preservation of Nature’s elements, resources, and creatures.”

Under the able direction of Dr. Michael Fox, the Center for Respect of Life and Environment provides a forum to encourage the coming together of the animal-protection movement with those addressing global environmental issues. In so doing, it serves to link issues of animal suffering and exploitation with concerns for species conservation and habitat protection and restoration.

The Center, though not at this time a dues-paying individual membership organization, is seeking the financial support of individuals and corporations who share its vision and goals. If you are interested in joining with us in endeavoring to foster the understanding of the interrelationship of all life and in seeking to awaken, activate, and stimulate the affirmation that the welfare of the world and all its creatures depends upon the compassion, reason, and informed action of individuals, we invite you to write for more information to Michael W. Fox, Executive Director, Center for the Respect of Life and Environment, 2100 L Street, NW, Washington, DC 20037.

We are also pleased and proud to announce the association of another organization with The HSUS as an affiliate, The Interfaith Council for the Protection of Animals and Nature. Under the leadership of long-time conservationist, author, and lecturer Lewis G. Regenstein, The Interfaith Council serves to extend the concerns and message of The HSUS into the broad-based religious community.

Religion is one of the strongest and most influential factors in our society and a guiding force for much of our population. There are literally hundreds of millions of people in the United States and around the world who would be more concerned about conservation and animal-protection issues if they realized that the underlying tenets of their religions teach the sanctity of the Creation, of the Earth and the land, and the “swarms of living creatures” all around us.

Unfortunately, most people are unaware of this Biblical message, and it is our intention to educate them about it through this new affiliate organization. We believe it is important that organized religion stop ignoring environmental problems, if for no other reason than the fact that it is itself at the root of so much of today’s massive suffering and exploitation worldwide.

We invite you to support our efforts to enlist members of the religious community, especially the leaders of the various denominations and faiths, to accept their moral and spiritual obligation to work for the protection of animals and the natural environment. Write for more information to Lewis G. Regenstein, Executive Director, The Interfaith Council for the Protection of Animals and Nature, 4290 Raintree Lane, NW, Atlanta, GA 30327.

We believe that both the Center for Respect of Life and Environment and The Interfaith Council for the Protection of Animals and Nature are important and vital extensions of the efforts of The HSUS to promote the concept that the human species has no right, either divine or otherwise, to exploit wantonly creation for its own benefit. We salute the excellent work being done by these two organizations and are proud to welcome both as co-workers with The HSUS. ■

John A. Hoyt, President
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Cover photo by Terry Wild

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On April 22, 1990, an international demonstration marking the twentieth anniversary of Earth Day will promote ecological awareness and environmental healing. The HSUS will be a major participant in EARTH DAY 1990 festivities to be held in Washington, D.C. Planning is now underway for events to be held in communities across the country. If you want to be part of the week-long celebration of EARTH DAY 1990, contact EARTH DAY 1990, Box AA, Stanford University, Stanford, CA 94305.

THE HUMANE SOCIETY OF THE UNITED STATES

ANIMALS
IT'S THEIR WORLD TOO
TEACHERS OF THE YEAR

We are pleased to name as the 1989 National Humane Education Teacher of the Year Stephanie Franke, a dedicated educator who has promoted and implemented the values and concept of humane education as a teacher for twenty-six years.

Ms. Franke is a science teacher of grades seven and nine at the Nixon School in Chicago, Illinois. Her innovative lessons and activities give her students the opportunity to learn about various animal issues and to act upon what they learn. Last school year, she produced a series of plays and skits that addressed the care of injured animals, animals in literature, and pet responsibility. Her annual Valentine Poster Contest ("Have a Heart for Pets") promotes the concept of pet care and compassion.

In addition, Ms. Franke's students wrote numerous compositions relating to animal welfare and encouraged legislative action on such issues as the seal hunt in Canada, the porpoise killing in Japan, bear hunting with dogs in Michigan, and the United States Navy's use of porpoises. An excellent role model for her students, Ms. Franke not only encourages responsible pet ownership (emphasizing spaying and neutering) but also has adopted several strays herself.

Ms. Franke's actions speak of kindness, compassion, respect, and love for all living things; her attitudes have created in her students feelings of self-confidence and an awareness that what they do and say matters in this world.

Honored as runner-up for NAHEE's Humane Education Teacher of the Year Award is Thomas G. Bickleman, who, for thirty years, has promoted and implemented alternatives to dissection in biology curricula.

As a senior high school biology teacher in York, Pennsylvania, Mr. Bickleman has demonstrated outstanding leadership. Mr. Bickleman has accepted a position as science consultant for NAHEE and will be employing his expertise on a national scale to promote alternatives to invasive procedures in the classroom.

BE A PART OF HISTORY!

On June 10, thousands of compassionate people from throughout the United States will assemble in our nation's capital to send a simple message to Congress:

We stand together united to ensure justice for animals.

Contact the National Alliance for Animal Legislation (703) 684-0654 for more information.
Harpoons still kill whales and dolphins. For over 25 years, WSPA has exposed pirate whaling operations.

Puntillas, plunged behind an animal's skull, remain common in the slaughter of livestock in less developed countries. WSPA has introduced humane slaughter methods in many countries.

Leg-Hold Traps bring slow and painful death to animals killed for their fur. WSPA's worldwide anti-fur efforts are extensive.

Cockfighting Spurs are strapped to the legs of game cocks bred to fight until death. WSPA uncovers illegal breeding operations and sets up raids throughout the world.

Feraos were used in Brazil to poke out the eyes of cattle before leading them to slaughter. WSPA made this bizarre practice illegal.

Hakapiks are used to club baby seals. This year Canada has sanctioned the killing of nearly 200,000 seals.

If you don't think animal protection is a battle, consider the weapons we're up against.

Every day, throughout the world, millions of animals suffer needlessly. We're fighting to stop that suffering. In recent years, we've brought an end to dozens of inhumane acts by changing laws, uncovering illegal activities and educating local governments. To continue, we need your help. Become a member. Write WSPA, PO Box 190, 29 Perkins St., Boston, MA 02130. Or call (617) 522-7000. Your support is our only line of defense.

World Society for the Protection of Animals.
Good News from CITES
The African elephant wins protection

Worldwide efforts to protect the African elephant culminated in the listing of that embattled species on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) at its meeting in October.

The seventh biennial CITES conference, held in Lausanne, Switzerland, was attended by representatives of more than ninety nations and a hundred non-governmental organizations (NGOs). NGOs participating in the CITES conference as observers ranged from animal-protection and conservation organizations to pet-industry, fur-trade, and ivory-industry representatives. Close cooperation among the animal-protection, conservation, and environmental organizations in providing expertise to government representatives contributed significantly to the successes that were obtained at the CITES conference.

Two levels of protection exist for species threatened by either the live-wildlife trade or the animal-products trade (such as ivory, skins, and furs). Appendix II lists species that are threatened or may become so if their trade is not brought under control. Countries are only allowed to trade in these species if permits are obtained stating that the trade will not harm wild populations. (Unfortunately, the necessary scientific findings that show such lack of harm to a population are rarely made.) Appendix I lists those endangered species that may become extinct if their trade continues at present levels. Commercial trade in Appendix I species is prohibited.

The African elephant has now joined the chimpanzee, the gorilla, the panda, and scores of other species on this Appendix I endangered list. Seven nations had proposed complete protection for the African elephant. The HSUS, Greenpeace, Friends of Animals, AWI, and WSPA, among others, worked vigorously to convince countries to vote for an Appendix I listing for the African elephant, but several southern African countries, representatives of several trade associations, and the CITES Secretariat itself lobbied for continuation of the ivory trade.

A compromise was forged whereby all African elephants are placed on Appendix I, with an amendment that calls for a panel of experts to be convened to consider whether the elephant populations of some countries can be “downlisted” to Appendix II at the next CITES conference, to be held in Japan in 1992. Such a downlisting would reopen the ivory trade. The burden of proof will be on those countries, however, and any downlisting will have to be supported by two-thirds of the countries voting. At least as importantly, the nations decided that it would also be illegal to trade in elephant ivory from elephants killed after February 1976. This will prohibit trade in nearly all stockpiled ivory, of which there is almost 700 tons in Hong Kong alone.

The vote in Lausanne to protect the elephant by placing it on Appendix I (with the aforementioned amendment) was seventy-six in favor, eleven opposed, with four abstentions. We were proud of the efforts of the U.S. delegation to secure an Appendix I listing for the African elephant.

The CITES Secretariat, which administers CITES, submitted a resolution to “grant amnesty” to all existing stockpiles of ivory, which would have allowed Hong
Kong to trade the ivory it is holding. Fortunately, with the active support of the U.S. delegation, that ill-conceived resolution was resoundingly defeated.

The Appendix I listing is not an end to our efforts to protect this most magnificent of species—it is just a beginning. The HSUS is continuing its efforts to have the African elephant declared an endangered species under the U.S. Endangered Species Act, which would end all domestic ivory trade. More than 86,000 citizens sent cards or letters or signed petitions urging the Department of the Interior to list the African elephant as endangered. We are continuing to educate consumers not to buy or wear ivory. Activists should now urge Congress to spend money where it is needed, on antipoaching and conservation programs in Africa. The U.S. government spends millions of dollars in assistance funds in Africa, and animal protectionists should work to see some of these funds spent to protect Africa’s wildlife heritage.

In its closing remarks, the Kenyan CITES delegation made an eloquent statement using a distinctly African metaphor:

All of Africa is like the elephant. The elephant uses its large ears to hear and gather in distant sounds. Africa has heard distant sounds from the entire world, and events far and wide were felt throughout Africa. In turn, the elephant uses its trunk to trumpet to its family members what it has heard from far and wide.

Africa trumpeted to the world at the CITES conference that it needs the greatest protection that CITES can provide to its elephants and significant international assistance to allow African elephant populations to recover from the devastation that ivory consumption has caused.

The CITES conference approved the transfer to Appendix I of several other species now endangered due to excessive trade. These include several bird species endangered due to the international pet trade (including the Tucuman Amazon parrot, Illicer’s macaw, and Moluccan cockatoo).

It is frustrating to see at every CITES conference the necessity of placing several more parrot species on Appendix I. After depleting these particular species, the international pet trade merely transfers its efforts and interests to species not yet endangered. We will be working very hard between now and the next CITES conference to amass the evidence necessary to convince the CITES parties that the time has come to put a halt to the trade in wild-caught tropical birds for the international pet trade. We are also continuing our efforts to educate consumers that they should be ashamed to purchase furs, ivory, or imported wild animals.

Since the United States is by far the world’s largest importer of much live wildlife and many wildlife products, the resulting consumer upheaval could go a long way in saving our precious international wildlife heritage.—John W. Grandy, HSUS vice president for wildlife and environment, and Susan Lieberman, associate director, HSUS department of wildlife and environment

INVESTIGATIONS

Hounding Racing in Its Stronghold
HSUS fights greyhound cruelty

On October 14, 1989, a white Ford diesel truck with custom trailer began its journey from somewhere out west. Its destination was St. Elmo, Alabama, a small town west of Mobile; its cargo, 330 jackrabbits. At the same time, staff members of The HSUS’s Southeast Regional Office, the U.S. Fish and Wildlife Service (USFWS), and the Alabama Game and Fish Commission made their way to a rendezvous with the truck when it arrived at the home of George McCarron during the early morning hours of the fifteenth.

The truck was scheduled to make only a brief stopover in St. Elmo to switch drivers. Then, as it had for years, it was to travel through south Alabama and Georgia, making stops along the way at gas stations, restaurants, and hotel parking lots to deliver crates of jackrabbits. The customers were greyhound owners and trainers who would use the jackrabbits to train their dogs in a practice called “coursing.” Many of the buyers were from Florida, but the truck had not entered that state since wildlife officers began a crackdown on the importation of jackrabbits in the winter of 1988.

On October 15, the truck made no such deliveries. As its driver, Jerry White of...
Mobile, pulled into the McCarron yard, USFWS agent Mike Lucckino calmly stepped out of the bushes across the street and strolled up the driveway. Other officers followed, along with HSUS staff. The two men offered no resistance as their bloody trade was brought to an abrupt halt.

"Coursing" involves releasing a live jackrabbit into an enclosed field to be chased, caught, and torn to shreds by racing greyhounds. Sometimes, the rabbit’s back legs are broken to ensure that, while it can still give a good chase, it cannot escape. Trainers believe that "jacks" are necessary training tools to make their dogs faster and more agile.

Since jackrabbits are not indigenous to the southeast, where the majority of greyhound training and racing takes place, they must be brought in from southwestern states such as Texas and New Mexico.*

Ken Johnson, HSUS southeastern regional investigator, began his undercover work on the use of jackrabbits by the greyhound industry soon after he joined The HSUS in January 1989. Using an alias, he contacted greyhound owners throughout the southeast and slowly gathered information on jackrabbit suppliers: George McCarron was the largest, with shipments of several hundred each week. Mr. McCarron paid up to $8 for each jackrabbit, then sold them for $15 each. Such possessions were apparent violations of Alabama law, and although only misdemeanors, important to the HSUS case.

We worked with the USFWS to document transactions and collect sufficient information to convince the U.S. Attorney that Mr. McCarron and his accomplices were in possible violation of the federal Lacey Act, which prohibits the interstate transportation, sale, and possession of wildlife and wildlife products if moved illegally from one state or country to another. Violations of the Lacey Act carry penalties of up to five years in jail and/or a $250,000 fine.

After ten long months, the USFWS believed it had enough documentation to act. The jackrabbits were seized, as were the truck, trailer, and sales receipts containing the names of some of Mr. McCarron’s customers. Without the customized vehicle, Mr. McCarron was out of business. One vital link in the greyhound industry’s chain of cruelty had been broken.

For HSUS staff and USFWS agents, the early morning raid was only the beginning of a longer day. Even though the jackrabbits had been spared agonizing deaths in the jaws of the dogs, they could not be saved. Forty-seven were dead on arrival, others lay in the crates so near death it was difficult to determine whether they were still breathing. Still others had open, bloody wounds from their capture or from bashing the sides of the wooden crates in desperate, but futile, attempts to flee. Nearly all of the survivors were in shock from the trip and

*In earlier years, some rabbits arrived via plane in South Florida, with escapees even establishing breeding populations around the runways at some airports. The Florida Game and Freshwater Fish Commission issued permits to three suppliers that allowed them to bring up to 500 jackrabbits a week each into the state. All this changed in 1986, when the Florida legislature passed a law making the baiting of greyhounds with live animals a felony. The game commission soon after banned the possession of jackrabbits.
Jackrabbits in a freezer. A different type of tragedy began to unfold when they received numerous complaints about greyhounds, and a Florida greyhound owner was found to have numbers of dead domestic rabbits and dead animals in the training of racing greyhounds, and a Florida greyhound owner is facing cruelty charges after allowing his dogs to starve almost to death in their cages.

The October 15 raid has disrupted the main source of jackrabbits to greyhound trainers, but the trade has not been stopped. Other suppliers are going further underground, refusing to abandon the easy money that comes with trafficking in animals. The HSUS Southeast Regional Office is continuing its investigation and hopes similar charges can be brought against these individuals.

The Alabama raid comprised only one part of a larger, more in-depth investigation of cruelties within the greyhound industry in the Southeast. Charges are pending in Putnam County, Florida, for the use of live and dead animals in the training of racing greyhounds, and a Florida greyhound owner is facing cruelty charges after allowing his dogs to starve almost to death in their cages.

After months of undercover surveillance, four kennels and a centralized training track near the town of Putnam Hall were raided. The local sheriff's department, the Division of Pari-Mutuel Wagering, and the Florida Game and Fresh Water Fish Commission moved in with HSUS staff as a rabbit attached to a mechanical arm was spun around the track with greyhounds in hot pursuit. During a search of all the properties, one greyhound owner was found to have numbers of dead domestic rabbits and jackrabbits in a freezer.

In the north Florida town of Live Oak, a different type of tragedy began to unfold in August 1989. The Southeast office was contacted by two area humane societies after they received numerous complaints about a local greyhound kennel. Margaret Smith, director of the Lake City Animal Shelter and an experienced animal-cruelty investigator, was appalled at her findings when she visited Imperial Kennels. More than 100 greyhounds were in varying degrees of starvation and neglect, some with open wounds, others covered with ticks. The facility was in disrepair and the dogs' cages were filthy. Two greyhounds had to be euthanatized immediately.

Days later, 73 more dogs had to be destroyed. Kennel owner Don Mitten agreed to the euthanasia of his animals but then failed to provide a proper burial, leaving them to rot in the hot Florida sun. The case got national press coverage when neighbors started complaining and were finally forced to bury the dead dogs themselves.

Ken Johnson visited the property soon after and described the remaining dogs as "breathing skeletons." Though the owner was to have made arrangements for the care of these greyhounds, authorities returned to the property a month later and euthanatized all but six.

Don Mitten and the kennel's caretaker, Debbie Johnson, have been charged with cruelty to animals and abandonment. Mr. Mitten and Ms. Johnson have fled, and warrants have been issued for their arrest. The National Greyhound Association has permanently revoked Mr. Mitten's registration privileges. No other racing greyhounds will ever suffer in his custody.

Unfortunately, another earlier undercover greyhound operation came to a much less successful conclusion. On October 4, 1988, a ten-month undercover operation by The HSUS into the use of live rabbits to train racing greyhounds in Lee, Florida, had resulted in the arrest of twelve people, four of whom were charged with felonies under a state law that prohibits the "baiting" of greyhounds with live animals (see the Spring 1989 HSUS News). The other eight were charged with misdemeanors for attending the activity.

The raid was conducted with the assistance of the Florida Game and Fresh Water Fish Commission, which videotaped that morning's training practice. The video showed a live domestic rabbit being tied upside down to a mechanical arm, which was then moved around the track at speeds of up to thirty-five miles per hour as pairs of greyhounds were allowed to chase, catch, and brutalize the animal.

The state Division of Pari-Mutuel Wagering, which regulates Florida greyhound racetracks, held administrative hearings in August of 1989 to determine whether its own regulations had been violated at the Frost/Brown training track. HSUS Investigator Gail Eisnitz was the key witness in the hearing as she testified about her...
undercover work. A few months later, the Division released its decision. Ten people involved at the track had their licenses suspended for periods ranging up to five years.

However, on November 16, 1989, the four men charged with felonies were found not guilty by a Madison County jury. The following editorial, entitled "Live Lures: Jurors Took the Law into Their Own Hands," appeared in the "Opinion" section of the Tallahassee Democrat, November 22, 1989:

They're guilty.
They're not guilty.

They're a greyhound track owner, George W. Frost Jr.; greyhound owner Robert E. Mendheim; and greyhound trainers Luis Rodriguez and David Gibson, who participated in using live rabbits to train some hounds on a day last year when Florida Game and Fresh Water Fish agents were on hand with a video camera.

The foursome broke the Florida law which makes it a felony to use a live rabbit as bait to train greyhounds. They didn't deny breaking the law. The state Division of Pari-mutuel Wagering revoked their pari-mutuel licenses last month because of their actions.

But, in Madison County, a six-member jury took the law in its own hands. Jurors considered the offense a wink-and-nod affair and acquitted the four.

The use of live lures is a grotesque practice. Even the conservative Florida legislature recognized that in 1986 by making the use of live rabbits as training bait a felony, punishable by up to five years in jail and a fine of $5,000.

Taking a live rabbit, hanging it upside down on a mechanical arm and setting dogs aching to kill to chase it—that's a good definition of terror; an apt description of cruelty.

Florida has 18 greyhound tracks and more than 400 training farms. The Humane Society of the United States, which instigated the investigation that led to the October 4, 1988, arrests, is focusing on training practices in Florida because they affect 50 percent of the greyhounds that race in the United States.

Other countries, other states have plenty of racing success without using live bait. But old ways die hard—especially in this part of Florida.

Despite the jury's acquittal of the four, the Humane Society and the Game Commission should continue to press Florida dog owners and trainers to clean up their acts.

Even though they lost the battle in the courtroom in Madison, they did not come away empty-handed.

The fact of the trial itself will have a chilling effect on trainers, who more assuredly don't desire even a victorious day in court.

And Florida's many trainers and dog owners should look beyond the acquittal to the lost pari-mutuel licenses.

The state of Florida is serious about stopping the use of live lures in training. Even if a jury of six in Madison isn't.

Halting greyhound-racing cruelty continues to be a high priority for The HSUS and its regional offices.—Laura Bevan, HSUS Southeast regional program coordinator

CAMPAIGNS

Fur on the Run
Our campaign continues—and yields results

If fashion isn't about freedom of choice, what is? Freedom of choice is not only essential to the fashion industry, it is the cornerstone of our country." So reads the text of a recent Fur Information Council of America (FICA) advertisement to be placed in periodicals around the country. The fur industry is reeling from another year of what even it can only optimistically report as "flat" sales, and the forecast for the 1989-90 season is gloomy. According to a recent report from the U.S. Department of Commerce, August 1989 fur imports declined 13.1 percent compared to the same period in 1988.

The HSUS wholeheartedly agrees that consumers and the public should have the freedom to choose. However, the fur industry would have consumers choose on the basis of incomplete knowledge and the most shallow of values—that no price in terms of animal suffering and cruelty is too great to pay for the vanity and luxury of fur fashion. We believe that consumers have the right—even the duty—to know not only the composition of a fur product, but also how that product is produced. That is why we feel it is of utmost importance that con-

An HSUS billboard in Georgia proclaims our anti-fur message. Billboards appeared in more than twenty cities in our autumn fur campaign.
A telephone kiosk on a busy Manhattan street corner brings “The Shame of Fur” to New Yorkers for a second year.

Consumers be educated about the facts of fur production. Until recently, many unsuspecting consumers of fur have failed to see the link between the luxury fur they wore and the brutal deaths suffered by the animals that supplied that fur.

Glamorous fur salons staffed by quiet, well-dressed sales people are far removed from the brutality of fur production. The success of the fur industry depends on its ability to downplay the grim realities of fur production.

When The HSUS launched its “Shame of Fur” campaign in the fall of 1988, the fur industry was riding high in this country. Fur sales had quadrupled in the previous decade, and the explosion in “fun” furs was apparent everywhere. The only thorn in the fur industry’s side was anti-fur activism in Europe. After a five-year public-education campaign by activists in Holland, fur sales in that country declined sharply. Fur shops closed right and left, and schoolchildren chanted the pointed words of a popular song, “Second-hand Coat,” to the few remaining fur wearers. Other European countries saw similar responses: fur sales in Switzerland decreased by 75 percent and furs became increasingly unpopular in England. The World Society for the Protection of Animals (WSPA) mounted a massive and impressive international campaign to urge world-wide cooperation in eliminating all fur markets throughout the world. Although The HSUS, for years, had waged vigorous anti-trapping and anti-seal hunt efforts, anti-fur campaigns were just beginning to gain momentum in this country.

Buoyed by the demonstrated success of the European anti-fur efforts, The HSUS focused our public-information campaign on the affluent, career-oriented young female consumer, the new consumer of furs. We believed that once consumers were aware of how fur animals suffer, they would choose not to wear fur.

Tremendous progress has been made in the sixteen months since The HSUS launched its “Shame of Fur” campaign. According to fur-industry and trapping sources, trapping decreased dramatically in 1989, by close to 90 percent in some parts of the country. The three largest publicly traded fur companies, Antonovich, Evans, and the Fur Vault, all reported record losses for the 1988-89 season and continue to report losses for the first quarter of this year. Fur ranches are reportedly struggling, and the consensus clearly seems to be that the market for fur is unsteady, at best. The fur industry is desperately hoping that the anti-fur movement is a trend that will soon lose momentum and fizzle. If it can hold on for a year or two, industry sources say, it can “weather” the storm and come back stronger than ever.

The HSUS is committed to keeping up the pressure. We intensified our “Shame of Fur” campaign last autumn with a substantial public-information effort that included billboard advertising in more than twenty cities, including Oklahoma City, St. Louis, Minneapolis, and Seattle. A large painted billboard appeared on Sunset Boulevard in Los Angeles, and HSUS conference attendees saw the HSUS billboard carrying the message, “You Should Be Ashamed to Wear Fur” towering above the freeway near a major Houston shopping mall. We invited local organizations to cosponsor our ad on billboards in their communities and include their organizations’ names with that of The HSUS. The HSUS provided materials and advice to local activists spreading the word about the “Shame of Fur.” We sent HSUS staff members to speak at organized anti-fur rallies and events in Minneapolis, St. Louis, and Lansing, Michigan. The HSUS “Shame of Fur” message was strengthened by the addition of two new spokeswomen, actresses Candice Bergen and Carré Otis.

The HSUS’s Pat Ragan and Nevada activists hold HSUS posters as part of a Las Vegas anti-fur protest. Such local events enhance our national efforts.
The popular television show “L.A. Law” tackled the fur issue in its season premiere in November, and millions of television viewers watched trapping video footage sent to the producers by The HSUS shown as part of the courtroom drama.

The HSUS campaign is paralleled by the efforts of numerous individuals and other organizations, both local and national, speaking out against fur, staging demonstrations, and conducting advertising campaigns of their own. The U.S. anti-fur movement has become both a grassroots and mainstream effort made up of private citizens as well as animal-protection groups.

The fur industry has left no stone unturned in trying to discredit the anti-fur movement. The Fur Information Council of America (FICA) has taken every opportunity to portray those who speak out against the cruelty of fur as extremist, radical—even terrorist—as part of a carefully designed effort to divert public attention away from the real issue, animal cruelty. Last fall, the fur industry spent millions of dollars to hire Burson-Marsteller, a large public-relations firm, to help it clean up its image. We have begun to see evidence of Burson-Marsteller’s campaign. Slick, biased, pro-fur articles appeared in Ultra and Connoisseur magazines. Both articles were written by Patricia Lynden, a freelance writer; both extolled the alleged virtues of the fur industry and attempted to discredit the anti-fur movement. Fur industry representatives made no secret of the fact that they intended to meet with the editorial boards of newspapers, television and radio stations, and billboard companies to dissuade them from giving any coverage to anti-fur activities. Reportedly, the industry often threatened to pull their advertising if the tele-vision or radio station did not comply with its demands.

These tactics haven’t worked. As a society, we are now questioning the wholesale destruction of the creatures that live with us in this world. We owe it to our children and grandchildren to create a compassionate and gentle society that not only espouses humane ideals but also lives its humane ideals. Choosing not to wear fur is the only choice that makes sense.—Patricia Ragan, research associate, wildlife and environment

The HSUS is seeking to close an enormous loophole in the protection of laboratory animals. The HSUS and the Animal Legal Defense Fund (ALDF) have petitioned the federal government to extend the provisions of the Animal Welfare Act (AWA) to all birds and mammals used in the laboratory, not just to certain species. Filed on November 15, 1989, the petition requests that the U.S. Department of Agriculture (USDA), which enforces the AWA, begin protecting birds, farm animals, and laboratory-bred mice and rats whenever these animals are used in biomedical research. These species comprise nearly 90 percent of all vertebrate animals used in the laboratory.

Ironically, the AWA itself covers all warm-blooded creatures used in research as “animals,” thus conveniently exempting them from federal protection. “The USDA refuses to define the majority of warm-blooded creatures used in research as ‘animals’; thus conveniently excluding them from federal protection,” stated Dr. Martin L. Stephens, HSUS director of laboratory animals, in a press release announcing the filing of the petition.

Although farm animals are not specifically excluded from the AWA definition of “animal” when they are involved in biomedical research, the USDA has not promulgated humane standards for their care, either. Thus, for all intents and purposes, farm animals in the laboratory have no more protection than do birds, mice, and rats. “We’re simply asking the USDA to carry out the congressional intent of the Animal Welfare Act by setting humane standards for all birds and mammals used in biomedical research,” Dr. Stephens added.
The AWA is the only federal law designed to protect animals used in nearly all biomedical research facilities. We played a major role in the passage of the original AWA in 1966 and in passage of amendments in 1970, 1976, and 1985. Under this law, research facilities are required to register with the USDA and to meet minimum standards for the housing, care, and treatment of warm-blooded animals. Although the AWA and its enforcement are far from perfect, The HSUS believes that this limited protection is better than none and that the existing law serves as a foundation for additional, strengthening measures, such as those sought by the petition.

By refusing to protect all warm-blooded laboratory animals, the USDA has failed to implement fully the 1970 amendments to the AWA. The AWA originally limited the definition of "animal" to dogs, cats, nonhuman primates, guinea pigs, hamsters, and rabbits. However, the 1970 amendments extended coverage to all other warm-blooded animals used in biomedical research. The USDA has erroneously interpreted the actual language of the amendments as granting the agency the discretion to decide which other warm-blooded animals shall be covered. The HSUS's interpretation of the amendments and related documents is in accord with that of three objective, independent government agencies.

We had hoped that the USDA would remedy this situation when the 1985 amendments to the AWA were enacted. Although these amendments do not reiterate the 1970 amendments' call for broadening the definition of "animals"—there was no need to—it was thought that the USDA might utilize the opportunity in revising its regulations to make this change. When the agency sought comments from interested parties and the public on how it should revise its regulations, The HSUS took those opportunities to urge the USDA to extend coverage to birds, rats, mice, and farm animals. We also urged our Action Alert Team to contact the USDA with the same message. The USDA announced its intention to consider the matter but has yet to make the changes.

It's been nearly twenty years since the 1970 amendments were passed. We believe it's past time for the USDA to take action.

Norma Terris, long-time HSUS supporter and benefactor and a Broadway and film star in the '20s and '30s, died on November 15, 1989, at her home in Lyme, Connecticut. She was a noted animal activist who served as a board member of The HSUS's Connecticut state branch until the branch became a regional office in 1972. It was Ms. Terris's generosity that made it possible for The HSUS to build a national humane education center in East Haddam, Connecticut, and establish what is now the National Association for Humane and Environmental Education, the educational arm of The HSUS.

Ms. Terris performed in many Broadway and Hollywood productions but is best known for her creation of the role of Magnolia in the original 1927 Broadway production of the musical "Show Boat" by Jerome Kern and Oscar Hammerstein II. In 1984, the Norma Terris Theatre in Chester was named after her, and she served as a director and supporter of the Goodspeed Opera House in East Haddam, the only theatre in the country dedicated to producing new musicals. She also starred in many theatrical performances to benefit The HSUS and the theatre community.

Ms. Terris had a strong respect for the life philosophy she promoted through her special projects. She maintained a wildlife sanctuary for animals on her property and operated a small shelter for homeless pets. She underwrote the cost of an HSUS project to get owners to post their land against hunting and trapping, and she was always willing to help suffering animals in any way she could.

In 1978, HSUS President John A. Hoyt presented Ms. Terris with a Certificate of Appreciation in recognition of her significant contributions to humane work.

For Ms. Terris, her work is done and the curtain has fallen. We take pride in knowing that her activities on behalf of animals and her confidence in The HSUS were of the very finest and will long be remembered.—Patrick Purkes, HSUS vice president, field services

The Norma Terris Center, in East Haddam, Connecticut, is home of the National Association for Humane and Environmental Education and the HSUS regional office.
Inter-Continental Conference on
"Caring for Creation"
May 16–May 19, 1990
Washington National Cathedral/Omni Shoreham Hotel
Washington, D.C.

An Inter-Continental Caring for Creation Conference for the environmental and inter-faith communities will feature speakers such as John A. Hoyt, president, The Humane Society of the United States; Russell Train, World Wildlife Federation (WWF-USA); Jurgen Moltmann, famous Lutheran theologian on ecology; Brian Swimme, scientist and man of faith; and many more!

The conference will be held in conjunction with the dedication of the Washington National Cathedral, and key leaders from all major faiths and environmental groups will be in attendance. HRH Prince Philip, Duke of Edinburgh, will be guest of honor at a special banquet May 18 and will open "A Festival of Creation" on May 19.

There will be speakers, group discussions, earth meditations, spectacular video presentations, music and drama, workshops, a banquet, a parade...and much more!

NACRE, The North American Conference on Religion and Ecology, is an inter-faith organization designed to help the North American religious community enter into the environmental movement in the 1990s with more informed understanding, deeper commitment, and a dynamic sense of environmental ministry. Its vision is "Caring for Creation." Send for a free brochure and other information to: NACRE, 5 Thomas Circle, NW, Washington, DC 20005.

Reflect for a moment...

how can I help animals even when
I no longer share their world...?

By your bequest for animal protection to The Humane Society of the United States.

Your will can provide for animals after you’re gone.

Naming The HSUS demonstrates your lasting commitment to animal welfare and strengthens the Society for this task.

We will be happy to send information about our animal programs and material which will assist in planning a will.

Please send: Will information

Name ____________________________
Address __________________________
City ____________________________ State ______ Zip ________

Mail in confidence to: Murdaugh S. Madden, Vice President/General Counsel, The Humane Society of the United States, 2100 L Street, NW, Washington, DC 20037.
A PHILOSOPHER'S ARROGANCE

The effort to limit—or even prevent—the use of animals in laboratory experiments has grown so strong and so insistent that the emergence of a counter-attack should not surprise us. A recent article published in the prestigious New England Journal of Medicine, for example, threw down the gauntlet to the “animal-rights” people in such an extreme way that the author, a philosophy professor at the University of Michigan, concluded that not only should animals continue to be used in laboratory experiments but also that such use should be increased.

The same point of view was expressed by M. Roy Schwartz, assistant executive vice president of the American Medical Association, who called for scientists to “counter-attack” against the animal-rights movement, whose members, he declared, were “infiltrating” federal agencies, health organizations, and universities. “Our opposition uses emotion, and we have to respond in kind,” was Mr. Schwartz's challenge.

Such statements bring to mind the extraordinary experiment in human behavior by Stanley Milgram and associates. What we learned from that exercise is that ordinary, decent human beings are capable of inflicting physical pain on one another—without remorse or guilt—provided that they believe themselves to be acting for some long-range benefit.

It is, in short, a form of self-induced seduction that permits “nice folks” to diminish or repress their normal human impulse toward such higher virtues as pity, charity, or even sympathy. Can we imagine more depressing knowledge about ourselves and the potential for evil in even the best of us? As T.S. Eliot asked, “After such knowledge, what forgiveness?” The answer, as we shall see, is: “None.”

The philosophy professor and I happen to be at the same university and I know him slightly. He is a thoroughly decent fellow—which is what makes his essay in favor of increasing the use of animals in laboratories all the more fearsome and loathsome. He methodically opts for inflicting death (while glossing lightly over the issue of pain) on increasing numbers of animals—writing not as a sadist but rather as a rational human being whose only concern is the welfare of his own species.

There are, after all, worthy goals to reach in the laboratory, and implicit in such arguments is the promise that the experimental use of animals, no matter how the suffering of those creatures might anguish us, will lead finally to medical breakthroughs. The laypersons who read such an article must deal with the specter of a loved one who might die of a disease like cancer because laboratory animals had been spared. The argument thus becomes personalized, and it is easy to lose perspective. We might ask, from suturing a monkey’s eyelids shut to taking a newborn cub from its mother and isolating it in a cold cage in order to confirm that babies suffer if deprived of cuddling? And, again, how great is the next leap, to bashing the skulls of various primates in a university laboratory, a procedure once financed with federal tax dollars, in a study of head injuries?

We need Oscar Wilde with us again, to offer a fitting epithet, one to equal his description of fox hunting: “The unspeakable in pursuit of the inedible.” At the very least, we need to focus on questions of how we can reduce animal pain, anguish, fear, and deprivation in the process of laboratory testing.

To say, as does the philosophy pro-
professor, that animals have no "rights" in the strictly formal sense (because, he says, they have no moral system as we all know it) is like arguing about the number of angels that can dance on the head of a pin. In ordinary human terms that most of us immediately comprehend, we know that if I lock a dog in a room, it has the right to receive food and water from me. Let us say that I fail to provide food and water, and the dog annoys me by howling. What would happen if I were to beat the animal senseless? I would have to answer to the police—as I would not if I had vented my anger on a piece of furniture that I own. In the professor's stark black/white view of the world, only human beings have "rights"; most of us, however, inhabit a more complex world, one with varying shades of gray. We "own" an animal differently from the way we own a chair, a fact which complicates the whole system of "rights" far beyond any arbitrary and limited set of definitions.

If, however, nothing else I have said is persuasive, if, indeed, the conviction persists that scientific progress makes all animal suffering necessary and therefore unavoidable, then let me close with an appeal to the self-interests of the laboratory scientists. Perhaps an eminently practical argument will succeed where all other arguments fail.

What I need to convey most of all is that a vast audience of people more or less like me exists out there. We want—in fact, we now demand—that the scientific community act in as humane and sensitive and creative a manner as possible in the use of laboratory animals. Only then will our approval—the approval of a very large "middlebrow" class—continue to support science. When I say "support," I refer not only to what happens to our tax dollars and private donations, but also to our political support. The bashing of primates' heads stopped, after all, not for lack of funds, but rather because an outraged public forced the feds to act.

In a democratic society, science needs the support, or at least the approval, of the general electorate. Most of us in that majority have been willing to pay homage to the men and women in white, and we want to continue to do so. We therefore tend to disdain illegal raids on laboratories, and only very few of us would join in extremist groups.

It is therefore in the best interest of scientists not to drive us—the sensible middle-of-the-road people—into the camp of ideologues. There is no rational or ethical basis for using "as many animals as possible" in experiments; indeed, neither science nor humanity would be well served by making matters worse in the laboratory, as the scientists will surely find out if they are careless enough, and callous enough, to embrace such a program.

Eugene Arden is vice chancellor of academic affairs at the University of Michigan-Dearborn.
Here is hardly a person who reads the newspapers or watches television who is not to some degree aware of the threat to the environment that is fast being wrought by the human species. . . . Only now are we beginning to understand what such devastation means in terms of the potential suffering of literally millions of animals and the extinction of whole species of others with whom we share this earth," observed HSUS President John A. Hoyt in his message to the membership at the HSUS annual conference in October.

Behind these sobering words were accounts of ecological destruction from conference speakers representing almost a dozen organizations involved in environmental protection. These speakers also brought words of hope to those assembled in Houston, however. Humane sustainable agriculture—agriculture that does not harm farm land, farm animals, or farm people—was the focal point of experts participating in the preconference symposium on October 25. Conference keynote speaker Jeremy Rifkin of the Foundation on Economic Trends and The Global Greenhouse Network piqued the interest of Thursday's audience with a style one part university professor and one part revivalist. The HSUS's Dr. Michael Fox and the Rev. Dr. Andrew Linzey spoke from their perspectives as scientist/philosopher and theologian, respectively.

Global concerns did not crowd out more immediate problems, as workshops on up-to-the-week reports on the CITES conference, shelter problems, animal-exploitation events, and other topics attracted their share of attentive participants.

Whale expert Roger Payne brought unforgettable songs of humpback whales to a Friday night audience, then accepted the Joseph Wood Krutch medal on Saturday night. H.1. "Sonny" Bloch received the James Herriot award for his tireless work on the "Living with Animals" television show. Finally, two long-time HSUS staffers, John Dommers and Patrick Parkes, were recognized in an affectionate tribute marking their last official HSUS conference at Saturday's banquet.
Above: HSUS Chairman of the Board K. William Wiseman (left) presents the Joseph Wood Krutch medal to Dr. Roger Payne for his lifetime study of whale physiology and behavior.

Left: Jeremy Rifkin of the Global Greenhouse Network was The HSUS’s keynote speaker at the environmentally oriented conference.

Right: H.I. “Sonny” Bloch (right) accepts the 1989 James Herriot award from HSUS President John A. Hoyt and Mrs. Helen Boehm of the Boehm Porcelain Studio at Saturday’s conference banquet.
Now Hear This

Audio cassette recordings of the conference speakers and workshop leaders, including keynote speaker Jeremy Rifkin, luncheon speaker John Robbins, and the Rev. Dr. Andrew Linzey, are available from Professional Programs Audio Cassettes, 12035 Saticoy Street, Suite B, North Hollywood, CA 91605, for $8.00 each, plus shipping and handling. Contact Professional Programs for an order form and complete order information.

Above: The Rev. Dr. Andrew Linzey (left) accepts congratulations from John Hoyt after his Friday conference address.

Right: NAHEE Associate Director Paul Dewey assists NAHEE Director Patty Finch with a display, part of her "Helping Hands for Pets" presentation.

Above: Friday’s panel discussion on protecting wildlife featured (left to right) Lisa Landres of California, The HSUS’s John Grandy, program moderator Dr. Amy Freeman Lee, Sam Houston University’s Carol Allen, and Larry Sunderland of Arizona.
Left: The HSUS's Dina McDaniel helps a participant with his name badge prior to a conference general session.

Above: HSUS Vice President Phyllis Wright seems the center of attention during a break in the conference workshop program on Friday.
Westward, Ho!

The HSUS will hold its 1990 annual conference in San Francisco, California, October 25–27. Look for details in upcoming issues of the HSUS News.

Above: The HSUS's Vice President for Farm Animals and Bioethics Dr. Michael Fox (left) relaxes with speakers at Wednesday's symposium on humane sustainable agriculture.

Right: Eric Sakach of the HSUS West Coast office chats with conference attendees during a break between sessions.
Left: HSUS President John A. Hoyt (left) shares a moment of humor with retiring vice president Patrick Parkes at Saturday's banquet.

Above: Jane Scheidler of the HSUS wildlife department discusses the National Wildlife Refuge Reform Coalition with her workshop attendees.

Above: James Noe of the HSUS Gulf States Regional Office and Ken Johnson of the Southeast office get to know attendees during their first on-staff conference.
Hey, I found your dog the other night. Well, I guess “found” is not exactly the right word. It took several of us, on foot and by car, about two hours to track him down. At the end, it was down to just one guy and me. It was Christmas Eve, for heaven’s sake. Everybody had something he needed to do—me, too. I was just about to give it up. We were running out of daylight, it was getting late, and the temperatures, which were supposed to drop into the single digits overnight, had already started their downward plummet. Maybe that’s why I kept at it. It was a Doberman. I had had one once, and I knew how they hated the cold, and this one already had one strike against him. Even a hundred yards away you could see what an emaciated, pathetic-looking skeleton he was. But he was scared, too, to the point where I didn’t know if we could lure him in or not. I had gone to the park that afternoon to walk my own dog before settling in for the evening’s festivities. Now, using her and the bag of dog food that I always carried in my truck for just such occasions, I was hoping that this combination just might do the trick. I could barely pick him out in the fading light when I took my best shot and poured the food on the ground. My dog took her cue and ate with the same religious zeal that she tackled every meal. It was more than he could bear, and, when he drew closer, I realized that if I couldn’t catch him, his chances of getting through this cold Colorado night were not all that good.

He was a big male, tall at the shoulder, and he should have weighed in at close to 100 pounds. Tonight, he would be lucky to tip the scales at sixty. Every bone in his body knifed through paper-thin skin, and he shook uncontrollably from the cold and from fear. Twice, as I tried to slip a rope over his head, he slashed at my gloved hands with bared teeth. But his obsession with the food was in my favor and, the third time, he never even noticed when the rope settled around his neck. I thought he would fight it, but he didn’t.

I took him back to the truck and bid my nameless helper, the one fellow who had stayed on after the others had left, good-bye. He didn’t even like Dobermans, he had told me, but, like me, he couldn’t walk away from the situation. I put the dog in the front seat and my own slightly miffed female in the back of the truck for the short trip home. I was afraid they might fight, otherwise. Actually, it wasn’t even my home I was going to, it was my mother’s. I was only down for the holidays. You can just imagine her elation as I appeared in the midst of guests and holiday preparation with a pony-sized animal that immediately tried to inhale a candy dish full of M & M’s when we paused for a moment in the doorway. After that, I kept him confined on blankets in one corner of the house, for his behavior around food, and people, too, was unpredictable, at best. The humane society was closed for the holidays so I would have to keep him until Monday. During that time, I fed him every three hours around the clock. Too much food at one time and he would inhale it and then throw it back up, so I had to restrict his intake of both food and water at any one time but increase the frequency. He came to know how much time had passed and cried pathetically when the hour drew near. When the food finally hit his system, diarrhea also set in and then he was at the door every two hours. I slept downstairs so I could let him out when he needed to go. On Monday, I fed him all that I could and more and then drove him to the humane society. He slept beside me, still exhausted from his ordeal. When they placed him in a run, I tried not to notice the noble head that stood above the crowd of others yapping and yelping for attention and the eyes that watched as I walked away. He had already started to bond to me, and I to him. Sentiment and reason had wrestled with each other the whole way to the shelter—as they always do. I already had several animals that demanded my personal and economic attention, and I just couldn’t take on another one. You can only imagine how much it hurts to come to that same conclusion each time.

I called every couple of days to see how he was getting along. I kept hoping that you were looking for him, that somehow he had just gotten away, and, now that he was somewhere he could be found, you would come searching. One of the guys that helped me the night I found the dog said he had been working in the area all day and had seen him running up and down the road since early morning, peering into car windows until the cars stopped, then running away. He was looking for you, wasn’t he? Even though it was obvious that he had been out on his own a lot longer than just that one day, he was still looking for you.

I called the morning they put him down, just so I’d know how the story ended. I cried, although I had known all along it was probably going to go down like that. After all, this isn’t the first time I’ve done this. People like me are always mopping up after people like you. Happy Holidays.

Kelly Budner lives in Colorado Springs, Colorado.
In this artist's rendering, HSUS Southeast Regional Director Marc Paulhus endures a marathon cross-examination by defense attorney Jorge Duarte as brothers Ernesto and Fernando Pichardo listen intently. U.S. District Court Judge Eugene Spellman presides in the background.
In September of 1987, The Church of Lukumi Babalu-Aye and its religious leader, Ernesto Pichardo, filed suit in federal district court in Miami against the City of Hialeah, Florida, and its entire city council. This lawsuit alleged that Mr. Pichardo's First Amendment rights to freedom of religious expression were being violated by several ordinances designed to prohibit the sacrifice or slaughter of live animals within Hialeah's city limits. These ordinances had been passed with encouragement from The HSUS. Earlier in 1987, Ernesto Pichardo had announced that he intended to purchase land in Hialeah and establish the first public Santeria church in America. In newspaper interviews, Mr. Pichardo was quoted as saying that it was time to bring this religion out into the open. The rituals of Santeria were practiced in secrecy for some 400 years, and Mr. Pichardo maintained that openness would lead to acceptance. The church would even seek to obtain an incinerator permit to dispose of the bodies of sacrificial animals in a sanitary manner.

In my letters and phone calls to Hialeah officials, I told them The HSUS harbored no doubt that animal sacrifice was cruel and, more importantly, that our attorneys had examined the legal issues and believed that ritual sacrifice was not protected under the U.S. Constitution. We urged them to ban animal sacrifice and promised to provide them with a workable draft for an ordinance.

Hundreds of local residents attended the first of three public hearings held by the Hialeah City Council to discuss concerns regarding the opening of the church. The facility was not yet operational due to apparent violations of city building codes. However, the occupancy permit was being withheld only until corrections were completed. Many attending the first and subsequent city council meetings were fearful that the church's visible presence would create the impression that animal sacrifices were officially sanctioned by the community. Council members and the Hialeah mayor were sympathetic but expressed the need to be cautious in dealing with religious beliefs and practices.

Luckily, I had submitted my name early enough to be one of the first speakers to address the city council at its initial hearing. Time limitations would make it unlikely that each of the hundreds of persons present would have the opportunity to offer his comments. Friends had saved me a seat in the front row. We outlined our strategy in order to avoid repeating the same points. I would urge consideration of an HSUS model ordinance to prohibit animal sacrifice and also suggest that the council obtain an attorney general's opinion on whether animal sacrifice was permissible under state law or constitutional guarantees. A tough-as-nails Broward County police officer, Sherry Schleuter, would provide information about Santeria sacrifices and the need for enforceable laws that addressed the problem. Representatives of other animal-protection groups would follow with additional facts and eloquent pleas.

Outside the building, a handful of protestors from a Christian fundamentalist church carried placards and shouted slogans denouncing the beliefs of Santeria practitioners as "demon worship." Such statements betrayed ignorance of the Santeria religion, which traces its origin to slaves who, in an effort to escape persecution, were...
THE JUDGE'S RULING

U.S. District Judge Eugene Spellman's ruling in favor of the City of Hialeah upheld the argument that governments can restrict religious practices. In the case of animal sacrifices, those restrictions are necessary to "prevent cruelty to animals, safeguard the health, welfare, and safety of the community, and to prevent possible adverse psychological effects on children exposed to such sacrifices."

Though the decision is binding only in the case of the City of Hialeah versus the Church of Lukumi Babalu-Aye, other communities should be encouraged to pass similar ordinances outlawing animal sacrifice. Elsewhere, prosecutors presented with cases involving ritualistic killing of animals can now use Judge Spellman's ruling to argue their case more persuasively in court.

The following are excerpts from the final judgment:

Migration has been the lifeblood of this country. As each of the tens of thousands came, they brought with them their unique heritage which were ultimately integrated and woven into the fabric which is America. The strength of that fabric has grown over two centuries.

Those who fled poverty found opportunity; those who were deprived of the opportunity of expression found freedom of speech; and those who were deprived of the opportunity to worship God found freedom of religion. Those newfound freedoms, however, are not unbridled or absolute.

Judge Spellman qualified the expanse of the "freedoms" guaranteed under the U.S. Constitution:

Compelling governmental interests, including public health and safety and animal welfare, fully justify the absolute prohibition on ritual sacrifice at issue here, and any effort to exempt purportedly religious conduct from the strictures of the city's laws would significantly hinder the attainment of those compelling interests.

Judge Spellman also disputed the Church's contention that the City discriminated against it because of its religion's beliefs:

Although the ordinances are not religiously neutral but were intended to stop the practice of animal sacrifice in the City of Hialeah, the ordinances were not passed to interfere with religious beliefs, but rather to regulate conduct.... Although this concern was prompted by the Church's public announcement that it intended to come out into the open and practice its religious rituals, including animal sacrifice, the council's intent was to stop animal sacrifice whatever individual, religion, or cult it was practiced by.

Miami medical examiner Dr. Charles Wetli testified on behalf of the Church that the killing of sacrificial animals is not cruel, however, Judge Spellman discounted the claim:

This Court does not agree. Expert testimony [provided by HSUS Vice President Michael Fox and Southeast Regional Director Marc Paulhus] established that the method of killing is unreliable and not humane, and that the animals, before being sacrificed, are often kept in conditions that produce a great deal of fear and stress in the animal. Often the animals are kept in filthy, overcrowded conditions, and sometimes are not given adequate food or water. Additionally, the animals perceive both pain and fear during the actual sacrificial ceremony.

Dr. Wetli is not a veterinarian and has no knowledge of any biological differences that might impact on his evaluation. Dr. Wetli testified that, even though the animal might experience pain...the animal's interpretation of the pain may not be the same as a human's. The court finds that the testimony of Dr. Fox, with his specialized knowledge, is more credible in this area and accepts Dr. Fox's conclusions that the method of sacrificing the animals is not humane, but in fact causes great fear and pain to the animal.

University of Chicago research psychologist Dr. L. Raul Huesmann was a key witness for the city on the effects that viewing animal sacrifices would have on children and adults. Judge Spellman wrote:

Dr. Huesmann testified that the observation of animal sacrifice, particularly in the circumstances of the initiation rite where a number of animals are sacrificed, would detrimentally affect the mental health of the child and the behavior in such a way that it would be detrimental to the community in which the child resides.... A child's observation of animal sacrifice would be likely to increase the probability that the child will behave aggressively and violently, not just against animals, but against humans.... Based on the expert testimony, the City has shown that the risk to children justifies the absolute ban on animal sacrifice.

While the city has achieved a solid victory in the U.S. District Court Southern District of Florida, the ACLU and the church have already filed a motion for a new trial. If the attempt fails, an appeal will be filed with the eleventh circuit court, in Atlanta. Ultimately, the case will no doubt come before the U.S. Supreme Court, since both sides have vowed not to give up.
forced to blend the identities of Christian saints with traditional African tribal deities. I worried that the media might mistakenly attribute the overwhelming community response against animal sacrifice to a dispute over religious beliefs.

The city requested an opinion from Florida Attorney General Bob Butterworth. In his response, Mr. Butterworth argued that constitutional guarantees of religious freedom cover one's beliefs but not always the practice of those beliefs. If the activity conflicts with local, state, or federal laws upholding a compelling public interest, the religious practice can be restrained.

The city's ordinances addressed both of our concerns at once, but the possibility of success could not altogether alleviate the fear of failure. Santeria and similar Afro-Caribbean religions have hundreds of thousands of followers in the United States. In South Florida alone, there are at least 60,000 believers. If the courts eventually ruled that religious bloodletting was a freedom guaranteed by our Founding Fathers, then perhaps as many as a million animals a year would be denied protection under the law.

It would be many months before the case came to trial, perhaps years until it was finally settled.

On July 31, 1989, U.S. District Judge Eugene Spellman began hearing arguments in the lawsuit filed against the City of Hialeah by the Church of Lukumi Babalu-Aye. Among the expert witnesses called on the city's behalf were The HSUS's Dr. Michael Fox, University of Chicago research psychologist Dr. L. Raul Huesmann, and I. Closing arguments com-
menced near the end of August.

On the sixth day of the trial, I took the stand. Under direct examination, I testified about the sacrificial rituals associated with Santeria. I explained that many different types of animals are killed, sometimes quickly, sometimes not, as offerings to the Santeria deities. Chickens, pigeons, goats, sheep, bulls, and turtles are frequently used; less often, many other species of domestic or wild creatures are sacrificed as may be dictated by the gods’ presumed tastes or the practitioner’s secret knowledge.

The killings are done for many ceremonial purposes. There are initiation rituals such as the “asiento,” in which dozens of animals may be sacrificed in order to entice one of the saint/gods, called an orisha, to physically possess and accept an applicant into the lowest level of priesthood, that of santero. There are sacrifices conducted to implore favors of the orishas, to cast spells or hexes, to insure good health and fortune, or to harm an enemy. There are even sacrificial rites intended to provide for certain victory in a court case.

I testified about the many mutilated animals and headless, decomposing carcasses I, and other HSUS investigators, found in public parks where daily offerings are placed near sacred trees or left by the water’s edge. Our photographs of these atrocities were entered into evidence, as were photographs of supply farms housing hundreds of live animals in filthy and overcrowded conditions.

I compressed more than a decade’s worth of cult investigations into a two-hour recitation of our findings.* I knew, however, that in a couple of days I would have to return to face cross-examination by the attorneys for the Santeria church.

The Miami Herald, news wire services, and local television stations provided daily coverage of the trial. A feature article in a regional news magazine devoted many pages to defending Santeria and its sacrificial practices while denigrating “The Humane Society in the person of Marc Paulhus, that tireless defender of chicken rights.”

When I took the stand for cross-examination, Jorge Duarte, the attorney for the Church of Lukumi Babalu-Aye, clicked his heels, raised a stiff-armed salute, and shouted “Sieg Heil” in a passable imitation of a loyal Gestapo officer. The city’s attorneys, Richard Garrett and Stewart Singer, jumped up to register an objection, and, a fraction of a second later, Judge Spellman bellowed his outrage. He warned Mr. Duarte that he had better demonstrate some justification for his offensive conduct.

Mr. Duarte was apparently trying to link his attorney to the Third Reich. And Judge Spellman’s final judgment forcefully argued that the religious or ritual killing of animals is not protected under the U.S. Constitution.

An hour later, I had the honor of announcing the favorable verdict at the conclusion of my sermon. A hundred people applauded as scores of animals barked, howled, meowed, and chirped.

In my thirteen years with The HSUS, my scrutiny of animal-sacrifice cults has been the longest and, I believe, the most important investigation I have pursued. The numbers of animals involved are staggering: their deaths are unconscionable. There will be appeals and new trials, and it may take several years longer before the issues are, at last, fully resolved.

Still, I feel a tremendous sense of relief. The animals have won this round and there is ample cause to feel optimistic about the future. As for me, I can’t help thinking: “Not bad for a ‘tireless defender of chicken rights.’”

Marc Paulhus is regional director of The HSUS’s southeast regional office.
WARNINGS ON TUNA LABELS

Momentum continued to build in support of Rep. Barbara Boxer’s bill, H.R. 2926, the Dolphin Protection Consumer Information Act, which would require tuna producers to label their products to indicate whether dolphins were killed in the process of catching tuna. The bill would enable consumers to differentiate between “dolphin-safe” and “dolphin-deadly” products. The House Merchant Marine and Fisheries Committee’s Subcommittee on Fisheries and Wildlife Conservation and the Environment held hearings on the bill in October, when testimony on behalf of a number of organizations, including The HSUS, was presented in its support. We urge you to thank House Subcommittee Chairman Gerry Studds for holding hearings and request that he approve the bill and send it to the full committee without further delay. Sen. Joseph Biden of Delaware has announced his intentions of introducing the bill in the Senate. Urge senators to become one of the original cosponsors of this bill even before it is introduced.

REVIEWING ANIMAL PATENTS

As legislators wrapped up the first session of the One-hundred and First Congress, The HSUS continued testifying and shaping legislation to foster greater animal protection. In September, The HSUS strongly confirmed its support for legislation introduced by Rep. Benjamin Cardin of Maryland when HSUS President John A. Hoyt testified at a hearing before the House Judiciary Subcommittee on Courts, Intellectual Property, and the Administration of Justice. The Cardin bill, H.R. 3247, would provide for a moratorium on the patenting of animal life until there is a proper regulatory review and approval process in place. President Hoyt called on the Subcommittee to approve Rep. Cardin’s bill. Since no further action has been taken by the Subcommittee, it is of the utmost importance that you contact your representative to ask him or her to co-sponsor H.R. 3247 and to request chairman Robert Kastenmeier to approve the bill and send it to the full House Judiciary Committee. Please also ask your senators to support a moratorium in the Senate.

SENATE HEARINGS ON LD-50 TEST

In early November, Dr. Martin Stephens, director of the laboratory animals division of The HSUS, testified before the Senate Committee on Commerce, Science, and Transportation’s Consumer Subcommittee on behalf of Sen. Harry Reid’s bill, S. 891, the Consumer Products Safe Testing Act. The legislation would prohibit federal-agency use of test results from the LD-50 Test and require that federal agencies review biennially other animal tests currently in use. Dr. Stephens stressed that the LD-50 Test is not only inhumane but also outdated, inasmuch as there are alternative tests already available that use fewer animals. This hearing marked the first time the Senate has reviewed the Consumer Products Safe Testing Act.

TSONGAS ON ALTERNATIVES

Former U.S. senator Paul Tsongas went before the House Agriculture Subcommittee on Department Operations, Research, and Foreign Agriculture in October to discuss the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Appearing on behalf of The HSUS and the Massachusetts Society for the Prevention of Cruelty to Animals, he told subcommittee members that the congressional mandate to require retesting of all chemicals under FIFRA within nine years, as is now required by law, will be virtually impossible to carry out unless a battery of short-term alternatives to laboratory animal tests is used for initial screening of chemicals. Subcommittee Chairman George Brown of California reiterated his strong interest in the use of alternative tests and was responsive to Sen. Tsongas’s suggestion of a visit to the Johns Hopkins Center for Alternatives to Animal Testing, which is actively engaged in research on developing alternatives to laboratory animal testing.
TAXING HUMANE SOCIETIES

The House Ways and Means Committee has sidestepped debate over whether to reform the Unrelated Business Income Tax (UBIT), which threatened to place a tax on the revenues received by charitable animal hospitals and humane societies from certain medical services performed on animals. For the time being, the committee has decided to refer the proposal back to the U.S. Treasury Department for its advice. The HSUS sent a lengthy letter to the Treasury Department outlining concerns for revisions in UBIT, urging instead that previous Internal Revenue Service rulings that foster the ongoing work of humane societies and charitable animal hospitals be formalized.

HOUSE STALLS ON VEAL BILL

The proposed Veal Calf Protection Act, H.R. 84, introduced by Rep. Charles Bennett of Florida, continued to gain cosponsors. Currently, more than eighty members of the House are on record as supporting the bill. But Chairman Charles Stenholm of the House Agriculture Committee’s Livestock, Dairy, and Poultry Subcommittee has yet to schedule a session to review the bill and send it to the full committee. Please write your legislator to encourage him or her to co-sponsor H.R. 84, which would provide minimum space requirements for veal calves, and to ask Subcommittee Chairman Stenholm to review the bill at the earliest possible date. Sen. Harry Reid of Nevada plans to introduce a similar veal-calf protection bill in the Senate soon.

Meanwhile, there is encouraging news from California, where chef and restaurant owner Wolfgang Puck announced he will serve only naturally raised veal from farms in Virginia and northern California. Chef Puck, of the world-famous Spago restaurant, has taken this action because of customers’ inquiries and his concern about potential health risks to consumers from traditional, formula-fed, crate-reared veal. The HSUS’s department of government relations is interested in news of other restaurants that serve only humanely raised veal.
UTAH FOR WHALES AND WOLVES

Utah may not have many whales, but it does have an articulate whale advocate in Rep. Wayne Owens. Rep. Owens recently chaired the House Committee on Interior and Insular Affairs’ General Oversight and Investigations Subcommittee hearings on marine mammals. He pledged to review current laws to make sure they offer maximum protection to these endangered mammals. Rep. Owens is also the sponsor of H.R. 2786, which calls for an analysis of all factors relating to the reintroduction of gray wolves into Yellowstone National Park. We urge you to have your representative support his efforts in both issues.

PREVENT-A-LITTER MONTH


The gray wolf may be returned to Yellowstone National Park if Congress passes H.R. 2786, which calls for an analysis of the impact of such an action.

Sens. Alan Cranston of California and Robert Dole of Kansas have introduced the senate version, S.J.Res. 229. Passage of this resolution would call attention to the nationwide crisis of pet overpopulation, promote responsible pet ownership, and focus on the primary solution to the problem—the spaying and neutering of pet dogs and cats. The HSUS will be working very hard to get the resolution passed, but we must act quickly. The bill needs 218 cosponsors in the House of Representatives and 51 cosponsors in the Senate before the House Post Office and Civil Service Committee and the Senate Judiciary Committee will even consider the resolutions. Since the Senate Judiciary Committee meets to consider resolutions in February and does not focus on them again until June, please ask your representatives and senators to become cosponsors of the resolution as soon as possible.

REPRESENTATIVES WANTED

Dear Representative/Senator:


DO YOUR LETTERS COUNT?

Do your cards and letters really make a difference in urging a legislator’s support of a bill? According to Rep. Lee Hamilton, a senior Congressman from Indiana, they have a tremendous impact. In a recent item in the Congressional Record he noted:

As the volume of mail grows, citizens need not fear that their message will be drowned out. Mail remains a very important way for a member of Congress to stay aware of concerns in the district. Correspondence between citizens and legislators remains one of the cornerstones of our democracy. Constituents who understand how this relationship works can give their words maximum impact.

Please note: letters to senators should be addressed: The Honorable ___________
U.S. Senate, Washington, DC 20510.

Letters to representatives should be addressed: The Honorable ___________
LENIENCY FOR COCKFIGHTERS

In July, a successful cockfighting raid was launched on a Pottsville, Pennsylvania, location where Mid-Atlantic Field Investigator Henry Brzezinski, working undercover, had gained access to a tightly knit group of young and old-time "cockers" (see the Fall 1989 HSUS News).

The Schuylkill County District Attorney's office has since accepted in lieu of going to trial ineffective fines for those arrested in the case. Four of the defendants have been sent to the state's Accelerated Rehabilitative Disposition Program. Five defendants have been assessed fines ranging from only $487 to $687; the records of four will be expunged after one year of unsupervised probation.

"This sets a bad precedent for the Pennsylvania law, which makes cockfighting promoters, participants, and spectators alike liable for a felony," said Mr. Brzezinski. The HSUS enlisted the aid of many Pennsylvania groups to persuade the assistant district attorney to prosecute the cases, but to no avail.

The Commonwealth is pursuing a case against the promoter, Ronald Sabitsky, Sr. The Mid-Atlantic office is urging the District Attorney to prosecute Mr. Sabitsky to the fullest extent of the law. For further information on this case, contact the HSUS Mid-Atlantic office at (201) 927-5611.

DOGS SEIZED IN NEW YORK

Henry Brzezinski and Frank Ribauco, investigator for the New England Regional Office, assisted the New York State Police and the New York State Humane Association in the recent seizure of 118 severely dehydrated and malnourished Borzois and mixed Chihuahuas at Vanzar Kennels in East Greenbush, New York.

Owner Janet Vandenburgh, a senior state health officer, was temporarily suspended from her job pending a complete investigation. Mrs. Vandenburg eventually pleaded guilty to ten counts of owning unlicensed dogs and paid a fine of $250. She gave up all rights to the dogs, enabling those animal shelters holding them to seek good adoptions for the abused pets.

The success of this investigation was due to the tremendous efforts of New York State Police Investigator Sue McDonough, New York State Humane Association Coordinator Samantha Mullen, and several other organizations that offered their time and expertise.

After five years, Peggy Parker of the Carriage Horse Action Committee won a battle for carriage horses in New York City.

CARRIAGE HORSE BILL PASSED

In a landmark victory for the carriage horses of New York City, the City Council passed Bill Intro. No. 1262-A on November 21, 1989. This bill will restrict carriage operation to Central Park for most of the day, limit each horse to eight-hour instead of ten-hour work shifts, and require drivers to maintain liability insurance, among other restrictions. Carriage operators immediately sought a restraining order from a state judge.

Special congratulations go to Peggy Parker of the Carriage Horse Action Committee (CHAC), who has worked tirelessly over the past five years for carriage horses in the city.

Many of the Borzois rescued in New York were malnourished, with rotted and missing teeth, and infested with parasites.

SYMPOSIUM LOOKS AT 1990 GOALS

More than 150 animal-control officers, health officers, and others attended the Animal Protection and Education Symposium, sponsored by the Mid-Atlantic Regional Office, held in Allentown, Pennsylvania, in
September. HSUS Vice President Phyllis Wright received a standing ovation for her keynote address, “Reflecting on Changes in Animal Protection in the ‘80s and the Goals of the ‘90s.” The gathering featured many leaders in public health, including New Jersey Veterinary Medical Association President-elect Art Baeder, Dr. Harold Russell of the Chester County Health Department, and New Jersey State Consumer Protection Director Jim Barry.

IN APPRECIATION FOR DR. WEIGER

More than one hundred animal-control officers and health officers attended a reception to thank Dr. Myra Weiger, director of the Department of Instruction, Curriculum, and Administration for Kean College in New Jersey. Phyllis Wright presented an HSUS certificate of appreciation on behalf of President John A. Hoyt.

Dr. Weiger helped develop the legislation and instructional course that certifies animal-control officers and instructed 400 such officers.

PIGEON-SHOOT BILL NIXED

The defeat of H.B. 696, which would have banned the use of live pigeons in pigeon-shoots, marked a sad day in Pennsylvania. Many people diligently worked to get this bill posted for a vote and passed. Special thanks go to the Pennsylvania Legislative Animal Network and to Judiciary Committee Chairman Thomas R. Caltagirone and Majority House Leader Robert W. O’Donnell for putting H.B. 696 up for a floor vote in the House, and Rep. George E. Saumur for introducing the bill.

WEST COAST BILL PASSED

Bills passed and signed into law last year include A.B. 1842, which bans the sale, transfer, and possession of common house pets for use as food; S.B. 896, which prohibits harsh disciplinary treatment of captive elephants; S.B. 428, which regulates the keeping of dangerous dogs while prohibiting cities from making breed-specific bans; and S.B. 756, which requires that all traps be checked daily and marked with identification.

NEW ADDRESS FOR WEST COAST

The West Coast Regional Office is now located at 5301 Madison Avenue in Sacramento, California; the new phone number is (916) 344-1710. Send all mail to: P.O. Box 417220, Sacramento, CA 95841-7220.
PROTECT THE MANATEES

Florida is taking positive steps to save the endangered manatee, and the Southeast office is joining the campaign. In 1988, twenty-nine manatees died from injuries inflicted by boats in state waters. By September of 1989, the year's death toll had already neared forty. There are only an estimated 1,200 of these gentle mammals still living in Florida's waterways.

Gov. Bob Martinez and the State Department of Natural Resources are proposing emergency regulations that include the adoption of three manatee-protection zones, restrictions on marina development, and maximum boating speeds in the thirteen counties with significant manatee populations. Over 300 new marine-patrol officers will be hired to enforce the regulations, which must ultimately be approved by the legislature.

KITTEN TORTURES SPARK OUTCRY

A DeKalb County law-school graduate's arrest for the torture and killing of seventy-seven kittens has sparked an outcry in Georgia for greater penalties within its animal-cruelty law.

Mitchell Munoz was charged with seventy-seven misdemeanor counts of cruelty to animals after a local photographic laboratory contacted police about pictures Mr. Munoz allegedly turned in to be developed. The grisly photographs depicted the stages of torment the young animals endured before their deaths.

These atrocious acts have prompted the Georgia Coalition for Animal Protection and the state chapter of the Fund for Animals to rally behind a model "felony animal-cruelty bill" written by the Southeast Regional Office. The bill will be introduced during the upcoming legislative session and, if passed, would make Georgia the fourth state in the country with felony provisions within its general animal-cruelty statute.

NEW ENGLAND CONFERENCES


On September 28, in Cromwell, Connecticut, the fourth annual New England Regional Office/Connecticut Canine Control Division (CCCD) Conference took place. Its theme, "Getting Back to Basics," was designed to help animal/canine-control officers improve their skills in their daily duties. A special farewell tribute was paid to departing Regional Director John Dommers by CCCD Chief Frank Intino.

"INSIDE REPORT" ON ANIMAL PULLS

A news team for "Inside Report," a television news show based in Miami, Florida, spent two days with Frank Ribaudo traveling throughout New England to look into alleged cruelties associated with animal-pulling contests. The program was distributed nationally to local television stations in September, but it was unfortunately not picked up in New England. For a copy of the program, please contact the New England Regional Office at the Norma Terris Center, P.O. Box 362, East Haddam, CT 06423.

DEER HUNT AT QUABBIN?

The Metropolitan District Commission of Belchertown, Massachusetts, has been evaluating the impact of deer browsing in the Quabbin Reservation. The initial assessment to reduce the herd might involve hunting by marksmen. Dr. Tony Povilitis, senior scientist for the HSUS division of wildlife and environment, and Frank Ribaudo have contributed information and are monitoring these activities and decisions.

The Commission's decision to thin the herd may be premature. The coyote population has been rising in western Massachusetts, and an independent study shows that coyote predation has slightly reduced the deer population in the past two years.
STRAYS SOLD TO RESEARCH

Investigations by Gulf States Regional Investigator James Noe found that the city of Enid, Oklahoma, has apparently been selling dogs to Oklahoma State University for research, in violation of state law requiring strays to be held for fifteen days prior to sale. The Gulf States office put the city on notice of the violation and asked for an immediate halt. Further investigations may show other cities in the state violating the same law.

1990 GSHEA CONFERENCE

The Gulf States Humane Educators Association Conference will take place May 26 and 27, 1990, at the Tulsa Marriott in Oklahoma. The conference will focus on environmental issues and domestic and agricultural animal issues. For registration and program information, contact the Gulf States Regional Office at 6262 Weber Road, Suite 305, Corpus Christi, TX 78413.

PROTEST AGAINST CAT EXPERIMENTS

On August 18, the Gulf States office participated in a statewide protest against federally funded cat sleep-deprivation studies done at Texas Tech University in Lubbock, Texas. For fifteen years, Dr. John Orem has subjected hundreds of cats to cruel sleep-deprivation experiments, which medical doctors have stated are of no value to humans. The Compassion for Animals group cosponsored protests calling for a halt to these needless and cruel experiments. The University has refused to consider the matter.

ACTION ALERT NETS RESULTS

A September HSUS Action Alert for Louisiana called for Sam B. Haynes, Jr., owner of the Fun Fair Park in Baton Rouge, either to relinquish the single chimpanzee kept there in cramped and solitary conditions for over twenty years to the Baton Rouge Zoo or to primate sanctuary or build a more suitable enclosure for it. As a result of letters written to him and to the city mayor, Mr. Haynes has agreed to build a new and much larger facility for the chimpanzee. The proposed new enclosure will exceed Animal Welfare Act specifications. While not our first choice of action, the new enclosure is a vast improvement for the chimpanzee.

GREAT LAKES LEGISLATION

Three important bills are pending in Michigan. H.B. 5209 would mandate spaying or neutering of all animals adopted from state pounds and shelters. H.B. 5030 requires the Michigan Department of Public Health to promote modern, humane, and non-animal tests for research and development of cosmetics and consumer products. H.B. 5285 prohibits ownership of exotic animals as pets.

Meanwhile, Ohio is mending its antiquated and ineffective anti-cruelty statute. The Ohio Legislation for Animal Welfare (LAW) Coalition successfully got H.B. 137 passed in the House and sent to the Senate. This bill would make illegal acts of cruelty such as a collar embedded in an animal’s neck and neglecting an animal in need of veterinary care. Both LAW and the Great Lakes office will push for legislation to regulate pet shops, boarding kennels, and breeding facilities in 1990. In addition, the Great Lakes office is pressing for support of H.B. 650, which would set up licensing procedures for cats identical for those of dogs. This bill needs much revision, but the concept is very important.

ACA WORKSHOPS IN MAY 1990

The HSUS Animal Control Academy (ACA) will hold workshops May 14-25, 1990, in Bowling Green, Ohio. For registration information, contact the Great Lakes Regional Office at 745 Haskins Street, Bowling Green, OH 43402-1696, or the HSUS Animal Control Academy at 5126-A McFarland Boulevard, E., Tuscaloosa, AL 35405.

1990 MISSION: THE ENVIRONMENT

The First United Presbyterian Church of Perrysburg, Ohio, has set itself a mission for 1990: to become educated and aware of the environmental and animal issues facing the planet. The Great Lakes office was invited to help plan activities for the coming months and to provide materials for the many topics to be covered, such as recycling, toxic waste, and rain forests. Members will learn not only about each problem but also about ways each person can help correct and reverse the damage caused by mankind. The Great Lakes office is pleased to be involved with this mission and welcomes this progressive, responsible church action.
FRUSTRATIONS WITH PROSECUTORS—I

The HSUS general counsel's office is frequently contacted by local societies and activists who have presented information about animal cruelty to a local prosecutor only to have that official refuse to pursue the case. The power to enforce the criminal laws selectively—to pursue some cases and decline to pursue others—is known as "prosecutorial discretion." At both the state and federal level—whether the official is a district attorney, United States Attorney, state's attorney, or commonwealth attorney—the prosecuting attorney is vested with practically unlimited powers to act selectively against offenders and offenses. Prosecutorial discretion is a prominent feature of the criminal justice system in the United States and needs to be understood by humane activists.

While the historical origins of prosecutorial discretion are obscure, there are many sound reasons why prosecutors should not be required to pursue every criminal complaint. First, especially in urban areas, prosecuting attorneys do not have the staff or resources to prosecute every instance of criminal behavior. Typically, felonies and other serious crimes have priority, which too often means that offenses such as animal cruelty, usually misdemeanors, are given short shrift. Second, in taking criminal cases to trial, prosecutors must be prepared to sustain a high burden of proof: every element of an offense must be proved beyond a reasonable doubt. Cases where the evidence is weak—due to a lack of witnesses or incomplete physical evidence or because the case boils down to one person's word against another—may be justifiably perceived by the prosecutor as not worth pursuing. In determining whether to pursue a case, the conscientious prosecutor will be aware of the presumption of innocence and attentive to the amount of evidence needed to overcome that presumption at trial. In addition, a prosecutor is usually attuned to the particular political and legal culture of the locale, and may take such local cultural perceptions into account. For example, people in urban areas may consider livestock starvation to be a more heinous crime than people in depressed agricultural areas, who may view neglect of livestock more in terms of an unfortunate economic circumstance rather than as an act of moral culpability. Indigenous events such as rattlesnake roundups, mule races, pigeon shoots, and coonhound trials using live raccoons as bait frequently have strong support in local custom and tradition, and are not perceived by people in the vicinity as cruel and unnecessary. These local perceptions may be important, particularly when a prosecutor needs to persuade a jury of local citizens to get a conviction. In addition, the language of the general cruelty laws may be too broad or too vague to support a conclusion that the legislature intended to outlaw such events. Finally, prosecutorial discretion can serve as a useful buffer between the passions of the public and would-be criminal defendants. Citizens sometimes file criminal complaints out of malice, revenge, or bad faith. In such cases, the prosecutor's power to decline to act serves as a filter or screen to protect innocent people and to prevent the legal machinery of the state from becoming a mere instrument of vigilantism.

The General Counsel's office offers the following suggestions in dealing with local prosecutors. First, know who your local prosecutor is—both the chief prosecuting attorney or the head of the office and that official's assistants most likely to be assigned animal cruelty cases and other misdemeanors. Try to develop a good relationship with the prosecutor in advance of a case breaking; this can frequently best be done by meeting with him or her informally, perhaps discussing the applicable cruelty statutes and his or her general attitude toward enforcing them. These preliminary contacts should pay dividends later when you need the prosecutor's undivided attention in pursuing a case. Develop a sound working knowledge of the cruelty statutes and of basic criminal procedure in your state, obtain evidence carefully, and prepare your case for presentation to the prosecutor thoroughly. If the prosecuting attorney expresses little interest in pursuing a case further, do not automatically assume bad faith on his or her part. Rather, find out precisely what is wrong with a case from the prosecutor's point of view (keeping in mind the several reasons why a prosecuting attorney might decline to seek an indictment or file a charging document) and attempt to cure the problems.

In spite of the considerations discussed above, there will be instances when you are certain of the strength of your case but are running into a prosecutor's outright refusal to pursue the case, for suspect reasons. In the summer 1990 issue of the HSUS News, the "Law Notes" will include a number of possible approaches to bypass or overcome prosecutorial discretion.
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We often assume that all children love animals. Unfortunately, that's not always true. Children have to be taught to care, especially if they are to grow up to be caring, concerned adults.

That's why humane education is so important. You can help make it happen in our schools by participating in the HSUS "Adopt-A-Teacher" program. It's quick and easy!

For more information, write to The National Association for Humane and Environmental Education, a division of The HSUS, P.O. Box 362G, East Haddam, CT 06423.