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The Humane Society of the United States

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Frank McMahon: The Investigator Who Took a Bite Out of Animal Lab Suppliers

Bernard Unti¹

Early on a cold winter morning in late January 1966, a contingent of state troopers, armed with a search warrant and accompanied by investigators from The Humane Society of the United States, raided the run-down property of animal dealer Lester Brown in White Hall, Maryland. They were seeking evidence of large-scale cruelty.

They quickly found it. Amid what Cpt. Thomas Smith of the Maryland State Police called "an unbelievable tangle of wrecked automobiles, trucks, body parts, and sheds," troopers found scores of broken-down dogs—diseased, numbed by the cold, chained to ramshackle boxes and barrels, jammed into chicken crates and wire pens, and wallowing in their own wastes.

The sight of dogs starving and emaciated, unable to stand on their own feet, frantically licking at frozen water pans in futile attempts to drink, and scratching at frozen bovine entrails—their only food—repulsed even the hardiest of Smith's men, experienced criminal investigators accustomed to scenes of violence, misery, and desperation.

The conditions that shocked the troopers were all too familiar to the man who led them on to Brown's property, Frank McMahon (1926-1975), HSUS director of field services.

Since 1961, McMahon had been investigating dog dealers around the country, trying to generate support for a federal law to prevent cruelty to animals destined for use in research laboratories. As congressional debate on the topic continued, McMahon and other HSUS investigators carried on an intensive campaign to expose the system that took animals from such random sources as dealers, auctions, pounds and assorted other sites and funneled them to medical or commercial laboratories.

Some of the dealers McMahon targeted were suspected of supplying research laboratories with dogs and cats, many of them swiped from people's backyards. Working with state and local police and with humane society officials—and often sworn in as a humane agent in those communities in which he had to operate—McMahon was instrumental in securing convictions for the illegal acquisition of animals, cruelty, filthy conditions, and neglect—all normal conditions in the then-unregulated trade in laboratory animals.

A Day in the Life

McMahon had been on the dealer's White Hall, Maryland premises before, in 1962, and the conditions he helped to uncover at that time led to Brown's conviction on charges of cruelty to animals. And he had sent Declan Hogan, another HSUS investigator, onto Brown's property twice during 1965 to develop probable cause for the search warrant that Cpt. Smith and his men served that January morning.

What made the January 1966 raid dramatically different was the presence of Life photographer Stan Wayman, whose pictures of the White Hall property appeared in the magazine's February 4 edition in a photo-essay titled "Concentration Camps for Dogs."

Life had tried to conduct its own raid on an animal dealer, but wasn't able to pull it off. That's when Wayman asked for McMahon's assistance, setting in motion a chain of events that would lead directly to the passage of the Laboratory Animal Welfare Act, which criminalized the theft of dogs and required the humane treatment and care of animals destined for laboratory use. (Incidentally, it was McMahon who told Life in a 1967 letter to the editor that Lester Brown had entered a guilty plea to five counts of cruelty to animals, and was given a suspended jail sentence on condition that he never again sell another dog.)

After Life published its spread on the laboratory animal trade, Americans sent more than 80,000 letters to their congressional representatives, demanding action to protect animals and to prevent pet theft. It was fitting that, when President Lyndon Johnson signed the Laboratory Animal Welfare Act into law in August 1966, McMahon was there to receive a ceremonial pen in recognition of his outstanding work. It became a prized possession, one that survives in a shadow-box frame within The HSUS's research library to this day.

It was not just McMahon's investigative work but also his testimony before the United States Congress that proved crucial to the campaign. After five years of intense effort, he knew more about the laboratory animal trade than any man or woman alive.

At a September 2, 1965 hearing concerning Congressman Joseph Resnick's petnapping bill, which would come to form the basis of the lab animal act, McMahon described The HSUS's five-year investigation into the multi-layered trade in stolen dogs. He told the gathered congressmen of the low-level "dealer, [who] actually collects dogs and cats in any given area and by any method he can," "the middle-man who travels throughout the country collecting animals for the large dealers," and the large-scale dealers "who operate on tremendous scale involving thousands of dogs and cats yearly."

McMahon also told the committee of laboratory suppliers who sought to bribe animal care and control employees to obtain cats and dogs, some of whom, McMahon testified, "were pets of people who had not had a chance to reclaim them." McMahon testified about some of the terrible conditions he observed at one dealer's facility, including 700 dogs jammed into pens (some 50 to 70 dogs in pens that were only 10-foot square), 400 cats packed into chicken crates, and dead animals left to lie among the living.

McMahon, the Most Valuable Asset

Although The HSUS's founding Executive Director Fred Myers often lamented his spotty record in hiring individuals to do field work, Myers struck gold with McMahon, a Peabody, Massachusetts native who had worked with local humane societies while in his teens.

McMahon was a Navy veteran (1945-49) working in the real estate business when Myers hired him in 1961. During almost 15 years with The HSUS, McMahon established many of the precedents and procedures that would guide the organization's investigative work during and after his tenure. Investigations required elaborate planning, the development of leads, the handling of sensitive information, competence in the accumulation and documentation of evidence, and an ability to work with law enforcement personnel.

While McMahon was best known for his investigations of dog dealers, research laboratories, and the transportation of animals, he also inspected hundreds of rodeos, slaughterhouses, stockyards, cockfights, dogfights, horse shows, and animal auctions. In the late 1960s, McMahon extended his work to include wildlife protection, providing relief to wild horse populations in the western United States and launching an investigation of the Pribilof Island seal clubbing.

In another celebrated incident that gained national attention, McMahon led The HSUS response to the U.S. Department of Agriculture's 1966 ruling that 50 giraffes, gazelles, and antelopes traveling on the freighter, Maasloyd, be destroyed to prevent the transmission of hoof and mouth disease from North Africa. McMahon badgered the USDA to provide a small island in Long Island Sound to serve as a quarantine site for the required 60 days.

His persistence paid off, and the animals were allowed to live. Not fully trusting USDA officials, however, McMahon took an additional step: He hired the captain of a small boat to take him out to the Maasloyd in the middle of the night while it was still outside territorial U.S. waters. When USDA officials came to inspect the Maasloyd at the docks, they saw McMahon, triumphant, standing on its bridge to guarantee the outcome.

"Frank McMahon was one of the most valuable assets HSUS had for fighting cruelty," then HSUS President John Hoyt observed when the 48-year old McMahon died in 1975.

Longtime HSUS staff member Dale Hylton, who worked on many investigations with McMahon, recalled that his colleague "could get blistering mad on the subject of cruelty to animals." That was understandable, Hylton added, "considering some of the gross examples of cruelty he dealt with regularly. By the same token, [McMahon] maintained current and accurate knowledge of state laws relating to cruelty, was acutely aware of the limitations those laws often imposed, and, obviously, had to deal with the frustration that came as a result...Always the bottom line with Frank was what could be accomplished for the welfare of animals."

McMahon the Diplomat

Although he observed that "Frank took chances and [at] times he stepped on people's toes," Hylton said that McMahon had a talent for collaboration with local humane societies and police officials. Hylton remembers a dramatic episode in New York state in the mid-1960s, when a humane society president informed The HSUS that her shelter manager had been asked to sell animals to a dealer.

"When we presented the information to the Long Island police, it became apparent that they probably wanted to take the information under advisement, take up an investigation of their own, but handle the situation in their own way," Hylton recalled.

McMahon was diplomatic, Hylton added, "explaining this was not an uncommon practice nationally, but that it was rare for us to obtain inside information of such a planned event. He pointed out that we had come to them for their assistance, but that we could have entrapped the dealer in the act, and then called for police assistance. He made it perfectly clear that it was vitally important for HSUS representatives to be part and parcel of any arrest that might be made from such a stakeout...He also pointed out the existence of bills pending before the Congress on this issue, and suggested the possibility that the Long Island police could be given favorable recognition in the public proceedings.

"Then [McMahon] became very cooperative and docile-appearing, asking only that we could be sequestered in the background to observe, and to be available to document the arrest that the police would make," Hylton continued. "As soon as they were assured that they could 'call the shots' and take final credit for the arrest, they agreed...That was one of the best examples of the diplomacy that Frank was often able to exercise to get things done."

McMahon the Multitasker

McMahon's accomplishments were all the more impressive given The HSUS's meager financial resources. In the 1960s, as former Executive Vice President Pat Parkes recalls, "the scope and intensity of ongoing and new investigations were limited to available financing. It was impossible to do all of the things that needed doing because of budget restraints."

Every investigation undertaken had to be justified through serious discussion. "Frank usually made the proposal that included how he planned to go about the investigation," Parkes says, "and he was very good at justifying it."

Because McMahon was not just an investigator but also part of The HSUS's Field Services division, which was responsible for supporting local humane societies, part of the calculus surrounding investigations was whether McMahon and his colleagues had other business in the communities near the sites of their investigative work. The HSUS budget was very limited in those days, Hylton recalls, so "we had to try to achieve the most we possibly could in every area we were sent out into the field."

In 1975, the hard-living man once described by a reporter as a "professional troublemaker" died at age 48 after a series of strokes. Like Myers, McMahon was laid to rest at The HSUS's Waterford, Virginia training facility, the National Humane Education Center.

By then, The HSUS had assembled an outstanding stable of investigators, including Frantz Dantzer, Ann Gonnerman, Marc Paulhus, Sue Pressman, Eric Sakach, Margaret Scott, Philip Steward, Bernie Weller, and Phyllis Wright, many of whom had honed their skills working alongside McMahon. In their own efforts to obtain documentation and evidence about the cruelties of dogfighting, cockfighting, greyhound racing, puppy mills, zoos, rodeos, the treatment of animals in entertainment, and the soring of Tennessee Walking Horses, they were building on a tradition of excellence established by a tough but tender-hearted ex-sailor.

Frank McMahon (1926-1975)

Years at HSUS: 1961-1975

Major Accomplishments: Investigated hundreds of animal dealers, auctions, cockfights, dogfights, horse shows, pet stores, puppy mills, rodeos, slaughterhouses, stockyards, and zoos. The essential figure in investigations leading up to passage of the Laboratory Animal Welfare Act (1966).

¹Bernard Unti received his doctorate in U.S. history in 2002 from American University. His book, *Protecting All Animals: A Fifty-Year History of The Humane Society of the United States*, is available from Humane Society Press.