

# Anti-Cruelty Programs

Senator Richard L. Neuberger of Oregon, a HSUS Director, introduced the first humane trapping bill in July 1958 at our request. The bill was cosponsored by Senators Estes Kefauver and Hubert H. Humphrey and would have required the painless capture or instant kill of animals trapped on federal lands and federal waters. It would also have required the inspection of traps every 24 hours. Unfortunately, despite all efforts, the bill did not become law.



*Anti-trapping continues to be a major thrust of HSUS programming.*

— Dick Randall

The great interest of The HSUS in achieving protection for laboratory animals had not lessened. Much opposition was coming from large universities and commercial research facilities. In 1959 Senator John Sherman Cooper of Kentucky introduced the first bill to protect laboratory animals, drafted by the Society for Animal Protective Legislation. The Board of Directors of The HSUS could not support it because enforcement would have been through the Department of Health, Education and Welfare and the Surgeon General's Office. Since most researchers and research institutions were receiving grants from HEW through the National Institutes of Health, the Society felt that enforcement would be weak, at best.

In an effort to gather as much information as possible about the cruel uses of animals in laboratories, The HSUS placed undercover staff investigators inside research facilities. They were asked to take photos and keep a daily diary of the work of the scientists. Conditions were found to be shocking and the investigators' work was heavily publicized in the *News* and other HSUS publications. In August 1959, HSUS started to prepare the evidence and a complaint for action under the anti-cruelty laws against certain laboratories. The complaint was filed by The HSUS California Branch against White Memorial Hospital of the College of Medical Evangelists and eight physicians. The Branch also filed charges of cruelty against Leland Stanford University.

The California Board of Health, charged by statute with enforcing anti-cruelty laws, claimed to have investigated HSUS charges but refused to hold a public hearing, put witnesses under oath, or to allow a stenographic record to be made of what witnesses said. The California Branch appealed to the State Supreme Court and, in turn, was sued for libel by three staff research workers of the College of Medical Evangelists. No decision was handed down against The HSUS California Branch and the publicity which the case attracted exposed rampant abuses of animals in laboratories and won wide public support for reform. Also The HSUS published a book entitled *Animals in a Research Laboratory* which recounted the scenes witnessed by Society investigators inside the research facilities. The book was widely distributed.

The HSUS continued its fight for the protection of laboratory animals by drafting a strong bill that was introduced in Congress by Representative Morgan Moulder. A number of other laboratory bills were also introduced and, in September 1962, public hearings were held before a subcommittee of the Interstate and Foreign Commerce Committee. Fred Myers and others from The HSUS testified in support of the Moulder bill and related proposals. Unfortunately, none of the bills was reported out of committee. Nevertheless, the effort to achieve the enactment of protective laboratory legislation continued with bills being introduced by various Congressmen at the instigation of HSUS and other animal welfare organizations. This helped to keep the issue of laboratory animal protection before the public which, in turn, fostered support for less stringent, yet desirable, legislation that was to follow. Huge quantities of literature were distributed and a statistical analysis of grants for biomedical experiments was financed by the Doris Duke Foundation, published by the Society, and widely distributed. The information in

the analysis also was used in publications and Congressional testimony.



*Investigators Frank McMahon and Dale Hylton inspect crated animals destined for laboratories at Pennsylvania dealer in 1964.*

— Paul Bauer

In early 1966 Chief Investigator Frank McMahon, who had joined The HSUS in 1961, organized a raid with officers of the Maryland State Police on the facilities of Lester Brown, a dog dealer in White Hall, Maryland. The raid was covered by reporters and photographers from *Life* magazine. Conditions for the animals there were incredibly bad and, on February 4, 1966, a picture from this raid appeared on the front cover of *Life* with the caption "Concentration Camp for Dogs." A flood of publicity resulted and brought renewed interest in how animals were being handled in the channels of supply to medical research laboratories. At the same time, McMahon was monitoring dog auctions in Pennsylvania where crated animals were brought in car trunks and trucks and sold in large quantities without proof of ownership. In April this issue came to a head when a stolen dog wound up in a research laboratory and was subjected to surgery and destroyed before its owner could recover it. The result was that Congressman Joseph Resnick of New York introduced the so-called "dog stealing bill." Several other Congressmen introduced similar bills. Public hearings were held before the House Agriculture Committee. A HSUS representative who had posed as a dog dealer disclosed his shocking experiences. Finally, a bill sponsored by Congressman W.R. Poage and Senator Warren Magnuson became the Laboratory Animal Welfare Act of 1966. Although basically a law to prevent pet thefts, the Act contained provisions for the licensing and inspection of dog and cat suppliers to laboratories and for the proper

care and treatment of animals not undergoing the experimental process in research projects. In 1970, provisions were added to cover exotic species in zoos, circuses and other areas. And, in 1976, amendments were added to improve the transportation standards of animals covered and to prohibit organized animal fighting. The Animal Welfare Act was a big victory for the humane movement and HSUS had played a major role in achieving it.

*Investigator Frank McMahon  
receives one of the pens used  
to sign The Animal Welfare  
Act from President Lyndon  
B. Johnson.*

— Chase Ltd., Photo

