June 7, 2010

Mayor Julian Castro
City of San Antonio
PO Box 839966
San Antonio, TX 78283

Re: Postpone City Council Vote
On Chapter 5 Revisions until August

Dear Mayor Castro,

We ask that your vote on the Chapter 5 Animal Ordinance Revision be postponed until council returns in August. There have been many irregularities perpetuated by city staff who are ramming this through without allowing adequate time to receive input from the general public. "John Q. Pet Owner" doesn't have a clue as to what is being proposed or even what passed in the 2007 Revision.

The fourth "Final" Draft was released Thursday night at 9:24 PM which only allows two working days until the Quality of Life vote this Tuesday, June 8th. We've never heard of an ordinance passing previously in this manner and ask what is the rush? Other irregularities are:

TIME LINE:

- March 3 kicked off first meeting with District 3 residents. Seven Public Meetings since then have been a farce, averaging 12 people in attendance. We attended each one. No one in attendance even knew what existing ordinance said and their major concern was the fact that Animal Care Services (ACS) didn't pick up stray animals on the streets.

- The four Focus Group Meetings averaged 7 people in attendance and were a total waste of time; not representative of the community at all. Notably absent was the Veterinary Medical Association of Bexar County, Delta Society, Military and Police Dog Units, Guide Dogs of Texas and many others. However the local "Animal Rights" Brigade was well represented as usual. We even asked that the veterinarians and others be included to no avail.

- Focus Group Meetings only talked about the ACS Committee's "suggestions" (as Director Gary Hendel calls them) during first three meetings as we never had an ordinance draft until the fourth and final meeting held recently. This fourth meeting appeared to be a formality as few of our concerns were addressed in the next draft. Everyone opposed one of the Aggressive Dog definitions regarding a dog barking at the backyard fence.

- May 14 first ordinance draft copy was released with three different "Final Versions" within two weeks: May 14, May 20 and May 28. We just received the June 3 Final Draft.

- ACS Advisory Board (composed of predominantly "animal rights" extremists) voted ordinance approval Wednesday, June 2, after refusing to vote at the previous meeting.

- No revised draft with changes from ACS Advisory Board available until June 3rd.

- Quality of Life Committee Vote: Tuesday, June 8, and council vote soon after.

ACS is mandated by state law for the control of Rabies, not to ensure that dogs and cats are sterilized. Our organization has pressured for Leash Law enforcement for 20 years now which would solve 90% of our problems and it isn't even mentioned in the 5 Year Plan to Become a No Kill Community by 2012. We've come to the firm conclusion that it will take a Rabies Outbreak or a fatality from a stray dog attack before we get your attention. Rabies is fatal to humans.

The vegan “animal rights” extremists work in incremental steps to end all use, breeding and ownership of animals, including pet ownership. They have hijacked the ACS Advisory Board unfortunately. They do support feral cat colonies as **Ingrid Newkirk: National Director of PETA** (People for the Ethical Treatment of Animals) says: "For one thing we would no longer allow breeding. People could not create different breeds. If people had companion animals in their homes, these animals would have to be refugees from the animal shelter and the streets … But as the surplus of cats and dogs declined, eventually companion animals would be phased out and we would return to a more symbiotic relationship - enjoyment at a distance." (Harper’s Forum Book, Jack Hitt,ed., 1989, p. 223.) This is not acceptable to our organization.

LITTER PERMITS AND NOW “SELLERS PERMITS FOR NON-RESIDENTS?” Only 359 Litter Permits have been issued in 2 years and are a failure as we predicted. The permit number must be listed in the Classified Ads making the newspaper the ordinance enforcer. Most advertisers are outside the city limits which has enraged Joel Hailey, local Texas Humane Legislation Network advisory board member, and John Bachman, Voice for Animals. Bachman insists we “must stop the sales!” Hailey served on an ACS Advisory Board subcommittee that proposed the new “SELLERS PERMIT” which will apply to ALL ads for dog and cat sales, including NON-RESIDENTS. Stop the sales and stop the breeding? Where do these extremists think future pets will come from? Gary Hendel said he hasn’t talked to the newspaper yet.

ACS Director Gary Hendel says he doesn’t have the staff to pick up strays; yet he stated at one Focus Group Meeting that he wants four animal control officers to scan the Classified Ads “each day” for Litter Permit and Sellers Permit violations; to set up mini-stings for entrapment, and to check whether listed Permit numbers are legitimate. This is a ridiculous waste of staff time and exactly why Nathan Winograd, founder of the No Kill Movement, opposes legislation. Winograd emphatically states it’s programs and services needed to become No Kill, not legislation.

Unfortunately animal control directors have joined hands with these extremists to legislate pet ownership out of existence. A major complaint with the 2007 Ordinance Revision was Former Director Jef Hale’s permit fees and “seizure and impoundments” for every violation instead of issuing citations. This ordinance revision lacks due process with the animal control director named as the authority in all hearings: the accuser, the judge, the jury and executioner.

The 2007 Chapter 5 Revisions and the 5 Year Plan to Become No Kill by 2012 are failures. We’ve wasted two years where we could have been moving forward. Who wants to buy Pet Licenses with these extreme regulations and such mistrust of ACS? ACS Director Gary Hendel proudly states he “wants to get everyone in his database!” Former Director Jef Hale demanded local veterinarians’ Rabies Vaccinations Records which contain all the owner and pet information. Hale said it was state law but the veterinarians knew better and refused to comply.

Programs and services in low income areas are needed, not excessive unenforceable license fees, permit fees and increased fines and impoundment fees. Prohibition didn’t work and neither will these extreme ordinance proposals. The city is listening to the wrong people and destroying many years of our hard work. We’ve wasted three months on this ordinance revision which divides the animal groups at a time when we should all be working together.

All eyes nationwide are on San Antonio. You may not be aware that this is a national issue for animal lovers – all species. If you own a pet, you’ll understand. Never in history have our pets meant more to us than in these stressful times. More information is enclosed.
Sincerely,

Mary Beth Duerler
(Volunteer) Executive Director
CC: City Council Members and Bexar County Commissioners