

2010 letter by then AAC Chair Larry Tucker to Council

Dear Mayor and Council,

I have been asked why a mandatory spay-neuter ordinance was not part of the No Kill Implementation Plan jointly proposed by the Animal Advisory Commission and City Staff. There are four reasons...

1) The Commission's mandate to consider and recommend "policies and programs proven to be effective at reducing the killing of homeless animals, including, but not limited to, policies and programs related to reducing the intake, and increasing live outcomes of shelter animals." Over the course of many months, the Commission and Staff looked at a variety of programs and policies proven to reduce intake and increase live outcomes. We recommended the implementation of programs and policies that do just that, including low-cost and free spay-neuter programs, alternatives to shelter surrenders, programs that reunite lost pets with their owners, and programs that increase adoptions. Although a mandatory spay-neuter ordinance was mentioned briefly at an early meeting regarding spay-neuter options, it was quickly tabled because there is no evidence from any source indicating that mandatory spay-neuter ordinances work to either lower shelter intake or increase live outcomes.

The American Society for the Prevention of Cruelty to Animals (ASPCA) released a Position Statement on mandatory spay/neuter ordinances. Here is a snippet from that statement...

"To the knowledge of the ASPCA, the only method of population control that has demonstrated long-term efficacy in significantly reducing the number of animals entering animal shelters is the voluntary sterilization of owned pets (Clancy & Rowan 2003; FIREPAW, 2004; Secovich, 2003). There is also evidence that sterilizing very specific, at-risk sub-populations of companion animals such as feral cats and animals in shelters can also contribute to reductions in overpopulation (Zawistowski et al., 1998; Clancy & Rowan 2003; Levy et al., 2003; Lord et al., 2006; Natoli et al., 2006). In contrast, the ASPCA is not aware of any credible evidence demonstrating a statistically significant enhancement in the reduction of shelter intake or euthanasia as a result of the implementation of a mandatory spay/neuter law."

You can read the full statement here: <http://www.aspc.org/about-us/policy-positions/mandatory-spay-neuter-laws.html>.

Additionally, many national animal-welfare organizations are against mandatory spay-neuter ordinances because there is no proof that they work. In some instances, they result in an increase in shelter intake and shelter killing (as recently occurred in Los Angeles). National organizations against mandatory spay-neuter ordinances include...

- The No Kill Advocacy Center: <http://www.nokilladvocacycenter.org/pdf/mandatorylaws.pdf>
- The American Veterinary Medical Association: http://www.avma.org/issues/policy/animal_welfare/population_control.asp
- Alley Cat Allies: <http://www.alleycat.org/NetCommunity/Document.Doc?id=240>
- The ASPCA: <http://www.aspc.org/about-us/policy-positions/mandatory-spay-neuter-laws.html>
- Best Friends Animal Society: <http://news.bestfriends.org/index.cfm?page=news&mode=entry&entry=C1813645-BDB9-396E-92A1CABDBFAAB5B3>
- Pet Connection: <http://www.petconnection.com/blog/2010/08/20/mandatory-spayneuter-laws-follow-the-lack-of-money/>
- The American College of Theriogenologists (ACT) and the Society for Theriogenology (SFT): <http://www.theriogenology.org/displaycommon.cfm?an=1&subarticlenbr=59>
- American Kennel Club: http://www.akc.org/news/index.cfm?article_id=2508

2) The Commission and City Staff invited the community and “TLAC Stakeholders” to participate in this open, public process. Those now in favor of a mandatory spay-neuter ordinance had an opportunity to address the Commission and present their ideas for reducing intake and increasing live outcomes. EmanciPET, represented by Amy Mills, spoke to the Commission as an invited guest, but did not propose a mandatory spay-neuter ordinance. Instead, she encouraged the Commission to provide additional funding for low-cost and free spay-neuter services, which we included in the plan. Animal Trustees of Austin, represented by Missy McCullough, spoke to the Commission as an invited guest, but did not propose a mandatory spay-neuter ordinance. She spoke about ATA services and her plans for a new building. Austin Humane Society, represented by Lisa Starr and Leticia Stivers, spoke to the Commission as an invited guest, but did not propose a mandatory spay-neuter ordinance. They spoke about the Feral Cat Spay/Neuter Program.

3) Maddie’s Fund is a \$300 million endowment with the goal to save dog and cat lives by assisting cities in becoming No Kill. They are the world's largest provider of grants dedicated to reducing shelter killing. Members of the local No Kill community are working hard to encourage Maddie’s Fund to focus their efforts in Austin as a Community Collaborative Partner. In passing a mandatory spay-neuter ordinance, it would hurt Austin's ability to receive grants for free and low-cost spay/neuters in our community. Maddie's Fund will not provide spay/neuter funding in a community that has a mandatory spay/neuter ordinance. You can read the Maddie’s Fund Grand Guidelines here...

http://www.maddiesfund.org/Grant_Guidelines/Maddies_Fund_Policy_on_Funding_Government_Programs_and_Mandates.html

4) Most importantly, none of the cities across the country who are No Kill have mandatory spay/neuter ordinances. However, there are plenty of cities across the country that DO have mandatory spay/neuter ordinances that are failing homeless pets miserably. Our directive from Council was clear... “Recommend policies and programs proven to be effective at reducing the killing of homeless animals.” Had you said “tell us what you think might work, what you think may be a good idea, or what you’ve heard that sounds like it may have worked in other cities,” it would be a different set of recommendations altogether. Our recommendations consist of solid, proven policies and procedures that will result in becoming No Kill if implemented.

I am very happy to report that in the months since the City Council unanimously passed the joint Commission/Staff No Kill plan on March 11, 2010, Austin's kill rate has reached the lowest in the history of the City, and more animals are leaving the shelter alive than at any other point in time. In addition, I am very excited about the implementation of those policies and procedures that are about to be implemented. Things are headed in the right direction and we must be careful not to upset the progress and risk reversing course.

I ask that you allow the No Kill Implementation Plan to take effect for at least a year before you experiment with an ordinance that is not proven to work, and may actually harm the No Kill Implementation Plan.

Sincerely,

Larry Tucker, AAC Chair