

Testimony for Senate Judiciary Committee Hearing

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Respectfully submitted by:
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Point One

Collaboration: eliminate burden of stray dog “catching”

Issues surrounding dog welfare are not solely animal shelter/rescue issues or Department of Agriculture issues, these are community issues that require a community solution. Municipalities, local and state police and the Commonwealth need to play a role in contributing to solutions.

The Commonwealth should consider developing a funding source for holding kennels for stray dogs. Funding for kennels could be provided by a combination of a state grant program, local government, private funders and larger shelters or animal welfare organizations. Currently the Department of Agriculture Bureau of Dog Law (the “Bureau”) has wardens driving dogs across the state and far outside of where a stray dog is typically found. This is a waste of valuable resources for the Bureau in the form of a warden’s time and vehicle usage. Furthermore, there are hundreds of municipalities across the Commonwealth that contract with entities to provide care for stray dogs or have modest holding pens while others usurp their duties by placing unnecessary burden on the Bureau to pick up strays found within their borders. Stray animals should stay within the municipalities in which they are found. This will insure more animals find their way back home. Consideration should be given to removing the responsibility of retrieving stray dogs from the Bureau completely.

See 3 P.S. § 459-302 for further details on the seizure and detention of dogs.

Point Two

Reframing: shift both resources and focus to where the problem is

The focus of the Bureau should not be on already highly regulated commercial kennels or advancing additional regulations. Resource should be strategically focused on investigating unlicensed kennels and poorly performing kennels – new legislation is not needed for that, prioritization within the Bureau and proper training of wardens is.

Furthermore, the Commonwealth should review the number of dogs an individual can own before requiring them to obtain a kennel license. Consideration should be given to reducing this number under 26 dogs to afford the Bureau an opportunity to investigate “backyard breeders” which are significantly contributing to the poorly bred dogs being sold in the Commonwealth. If a new category of kennel was added to include a “hobby kennel” (this is a term that I am only suggesting as a label, not a term that is currently defined) using the less stringent requirements that currently apply to rescue network kennels or nonprofit kennels, this would balance the need for the Commonwealth to inspect these types of breeders without overburdening legitimate show or hobby breeders that remain committed to responsible practices. Individuals selling dogs in the Commonwealth should be required to maintain some type of licensure to ensure consumers have a layer of protection.

There is also an opportunity for the Bureau to develop a new funding source by promoting a fee based program for breeders to promote the achievement of particular breeding standards that meet higher animal welfare standards than required by the law. This review of standards could be done during the normal inspection process and be voluntary for breeders to participate in. This will also provide consumers with another layer of protection.

See 3 P.S. § 459-206 for further details on kennel license and Special Report on Dog Law Enforcement by Auditor General

Point Three

Proper Oversight

The Commonwealth owes the Bureau a dedicated working oversight committee that can help guide the senior management team in a new direction. Particular focus should be given to the individuals selected to be on the committee; ensuring they have a working understanding of the issues before the Commonwealth, appropriate work experience and the ability to work collaboratively with multiple constituents.

Currently the Bureau director and director of enforcement positions are being filled by the same person, the Bureau has moved from 7 to 6 supervisory regions and continual understaffing prevents wardens from doing their jobs; all due to limited financial resources. Regardless of what the Commonwealth does now, the situation for the Bureau is dire and it will take a team approach to assist them to move in any direction.

Moreover the Bureau has struggled to work collaboratively and creatively with other constituents. A culture shift is needed through appropriate coaching, training and infrastructure.

For additional details See Special Report on Dog Law Enforcement by Auditor General

Summary

Instead of raising fees in the middle of a recession via increasing the fees for dog licensing the Bureau should rethink and revise what they are doing but they need support to do so.

By eliminating the time currently spent by wardens driving all over the state to retrieve dogs and looking for a place to house them, the Commonwealth would create time for the wardens to reframe their focus towards investigations and inspections. Additional revenue could be generated by focusing inspection efforts on unlicensed kennels and poorly performing kennels to the benefit of the Commonwealth and the its canine citizens. Moreover, modest revenue gains could be achieved by licensing and regulating “hobby kennels” and establishing a fee based program focused on higher breeder standards of care.