

Senate Agriculture & Natural Resources

HB21-1160 Care Of Dogs & Cats In Pet Animal Facilities

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Breanna Williams Against Self	<p>To whomever it may concern,</p> <p>I am the Lead Kennel Tech for the Humane Society of Fremont County in Colorado. The story below is told from one of our four legged guests who found themselves needing our help.</p> <p>My story began on a scorching summer’s day. The day started like any other. Pitter-patter of my puppies playing by my side. We were all so excited when we saw our favorite human grab the leash. Where could we be going?! The park?! For a walk?! It didn’t matter, we were thrilled to go! :-)</p> <p>That day we went to the Riverwalk. The water was cold even in the heat of the day. The further in we went, the deeper it got.</p> <p>As I tried to follow my humane back to shallow waters I realized I had been tethered to a lone tree in the middle of the river. SPLASH! SPLASH! SPLASH! I looked to see that my puppies had been tossed in, just out of my reach. Helplessly I watched as they bobbed downstream. SPLASH! Someone had witnessed this happen and came to my rescue.</p> <p>My rescuer brought me to a terrifying place full of strange people, smells and critters. They took me in, dried me off, and fed me. Then one girl entered my kennel and sat with me. Her face was wet and her voice broke as she told me they couldn’t find any of my puppies. It was hard for me to calm down when I could hear so many dogs screaming “Pick me” “Give me a chance!”</p> <p>This scary place made me anxious, but the people were so kind. I knew they wanted to help me. Often they told me it would be hard to find me a home if I kept being “mean” to the other guests at the shelter, but they never gave up. Although my stay was longer, eventually I found my forever</p>



ANGELS WITH PAWS

Cat Rescue & Adoption Center

501(c)(3), Donation Funded Non-profit Charity EIN 20-0140926

2540 Youngfield St., Lakewood, CO 80215

(303) 274-2264 www.angelswithpaws.net

Saving Lives & Finding Homes



April 15, 2021

TO: Senate Agriculture and Natural Resources Committee
Meeting Time: April 22, 2021 at 1:30 p.m.

FROM: Diana M. Richett and Angels with Paws

RE: Against HB21-1160

Please be advised that I am submitting written testimony, on behalf of myself, and Angels with Paws, a cat rescue and adoption center, to express our opposition to HB21-1160.

I am a lawyer and a certified veterinary technician and have two special-needs registered therapy cats. I am the current board president for Angels with Paws and am authorized to speak on behalf of this organization. Angels with Paws is a small, limited admission shelter in Lakewood, Colorado which rescues, cares for and adopts out cats. We are a board-run shelter which is funded by donations and are dedicated to helping as many cats as we can regardless of their conditions, issues or special needs. We champion the “under-cat,” those special needs cats who require extra care, diabetics, cats with Feline Leukemia Virus, seniors, scared and timid cats and paralyzed/incontinent cats.

In our opinion, this bill prioritizes and protects only those dogs and cats who can be categorized as “healthy” and “safe.” It fails to protect and jeopardizes the lives of animals who are most in need and deserve our protection, those with special needs, less than perfect animals who require more time and more care and as a result may be labelled by some individuals/organizations under this bill as “not healthy” or “not safe” and therefore, not adoptable and disposable.

As an attorney, I would say that this bill is poorly written and constitutionally infirm. First, section 6 of the bill says that “each animal shelter and pet animal rescue shall dispose of a dog or a cat in its custody only by adopting out the animal, . . . IF the animal is healthy and safe.” (emphasis added). This appears to contradict section 7(b) which does not prohibit a live outcome for any dog or cat by an animal shelter or animal rescue.

Second, and most important, the language of the bill and in particular, the words “healthy” or “safe” are “void for vagueness,” in that the language or prohibitions are not clearly defined and thus, it is reasonably susceptible of more than one interpretation by persons of common intelligence. To satisfy due process, the language of the statute must set forth sufficiently definite standards to prevent arbitrary and discriminatory enforcement.

In this bill, “healthy” in part means that the dog or cat “exhibits signs of illness or injury for which there is a realistic prognosis for a good quality of life.” That language is subject to interpretation depending upon who is assessing the animal. And who makes that determination---is it a veterinarian, a veterinary technician, kennel staff, intake staff. Further, when is that determination made---at the time of intake, at a time when the animal has been treated for a period of time, how long will the animal be given to demonstrate it has a good quality of life. One person or shelter could say that a blind, deaf, diabetic, asthmatic or paralyzed/incontinent animal could have a “realistic prognosis for a good quality of life” while someone else could say that the animal is suffering and has a poor quality of life.

As an example, in January 2021, staff at Angels with Paws received a call from an owner who wished to surrender two cats. She advised staff that she initially had contacted the Dumb Friends League (DFL). When she described some of the issues with her one cat, the DFL staff said that the symptoms she was describing sounded like asthma and if she brought the cat to DFL it probably would be put down. Angels with Paws took both cats and treated Kiki. The cat no longer is on medication, has displayed no issues with his breathing and has been adopted.

Under this bill, do shelters even have an obligation to treat a medically needy animal or simply characterize the animal as “unhealthy” and thus, legitimize euthanizing the animal to “prevent unnecessary or unjustifiable pain and suffering.” Under this “socially conscious” model, must they provide insulin to diabetics long-term, or express incontinent/paralyzed animals or like Kiki who may have asthma, are they justified in simply saying “he will probably be put down” because he has a medical condition albeit a treatable medical condition. If the medical condition of the animal is treatable or manageable, then does the shelter have an obligation to place the animal for adoption.

Under this bill, “safe” in part means that the “dog or cat has not exhibited behavior that is likely to result in bodily injury.” The term “bodily injury” is not defined in the context of this bill. According to Representative Soper, who testified at the House committee hearing, that is not a concern because the term “bodily injury” is “known to the law.” It is “already a high standard” and “does not mean nipping” or a “cat clawing.” His interpretation of “bodily injury,” however, does

not set the standard. Legally, such terms must be defined in statutes to avoid multiple interpretations. In the criminal code, specifically section 18-1-901(3)(c), “bodily injury” means “physical pain, illness or an impairment of physical or mental condition.” So, under that definition, if a cat scratches or swats or a dog plays rough and knocks someone down, that animal exhibits behavior that can result in bodily injury, that is physical pain, and therefore is not safe.

The other issue which renders it “unconstitutional” is how this law will be enforced and what are the standards for enforcement. The fiscal note says that “the bill may increase revenue from fines for violations.” Assuming PACFA is the enforcing agency, by what standards will they establish that a violation of the law has occurred. If one of the purposes of this law is to ensure a live outcome for every “healthy” and “safe” animal, will PACFA require each animal shelter/rescue to account for and justify with specification why an animal in its care was euthanized. Again, what is the standard that PACFA will apply to say that the animal is “unhealthy” or “unsafe” and thus determine that euthanizing a particular animal was not in violation of this law. Nothing in the bill addresses this or requires accountability for irreversible decisions on the part of the shelter and thus encourages arbitrary and discriminatory enforcement.

The bill also declares that “Colorado has a vigorous, collaborative and well-organized transfer program to implement” the practice that no healthy or safe dog or cat is euthanized. Where was the collaboration on the part of the “socially conscious sheltering” advocates and the sponsors of this bill in soliciting input from “no-kill” shelters or shelters who do not identify themselves with the “socially conscious sheltering” model. In her testimony, Representative Duran claimed that she brought “everyone to the table.” Angels with Paws, a stakeholder, was never contacted to give input on this bill. Two of the largest no-kill shelters in the state, Max Fund and the Humane Society of Fremont County as well as many of the seventy plus shelters who oppose this bill were never consulted in the process of introducing this bill.

More important, nothing in the bill provides for shelters, regardless of the model they embrace, to collaborate and reach out to other shelters to ensure that **all** dogs and cats are not needlessly euthanized. The state of Delaware, for example, sets standards for euthanizing any dog or cat in the custody of an animal shelter which include the requirement that “no reasonable alternatives are available.” Under this requirement, shelters must establish and maintain a registry of organizations willing to accept animals for the purpose of adoption or to provide the animals with long-term placement. Before euthanizing an animal, shelters must ensure that organizations on this registry are not willing to accept the animal. *See*: 16 Del. C. §§3003F(d) and 3004F(b). If Colorado has such a collaborative and well-organized transfer program, then provisions like the Delaware statute should be in the language of the bill to include all shelters no matter what their philosophy to ensure the best outcome for **all** animals.

Angels with Paws also questions the need for this bill as well as its purpose. We question whether the legislature will appropriate the necessary funding to help small shelters expand and admit not only the “healthy” and “safe” animals but care for those special needs animals who we have a responsibility to help. If not, then the bill also places smaller shelters, who have limited resources, in the position of choosing to take the “healthy” and “safe” animals over those animals that need us the most and could benefit from the extra care, time and attention.

On a personal note, I have cared for paralyzed, incontinent animals since 2002. My first paralyzed, incontinent cat who had other medical needs was one who a veterinarian told me should not even be here. He was fortunate to be rescued by an organization who saw him as a happy kitten who deserved a chance. If he had entered most “socially conscious” shelters he most certainly would have been judged to have a less than a good quality of life because of his paralysis and incontinence, deemed not “healthy,” and euthanized. My cat Simon became a registered therapy cat who worked with many special needs children. He was honored as the Colorado Animal Hero in the service category by PetAid Colorado in 2012. He blessed the lives of many children as well as my own for the more than eleven years that I had him.

The sponsor of the bill previously testified that this bill sets the floor not the ceiling in terms of the minimum standard of care. The language of the bill provides those protections, however, only for those animals who are deemed “healthy” and “safe.” Animals who have chronic medical needs or the scared animals that need more time should not be designated as “unhealthy” or “unsafe” and relegated to the basement. There are many “Simons” who enter animal shelters. These animals should not be marginalized. Their lives have value too even if they are “less than perfect.” These animals with special needs who require more care, time and attention should have the same if not more protections and priority than the easily adoptable “healthy” and “safe” animals who appear to be the focus of the “socially conscious” animal shelters and the same shelters who have the greatest resources. The “socially conscious community” should not dictate which animals live and which die to the smaller shelters who care for and are dedicated to helping those animals requiring more care and time find loving and caring homes.

I, as well as Angels with Paws, are requesting that you speak up for these animals and the smaller shelters who are dedicated to caring for these special animals whose lives have value and a place in our society and oppose this bill. It needs to be rewritten with input from the many shelters who do not identify themselves with the “socially conscious” model and who oppose this bill and address the concerns as outlined in their many statements and letters.

Thank you for your attention, time and consideration.

SENT VIA ELECTRONIC MAIL: vanessa.reilly@state.co.us

April 20, 2021

Sen. Kerry Donovan, Chair
Sen. Jessie Danielson, Vice Chair
Senate Agriculture & Natural Resources Committee
State Capitol
200 E. Colfax
Denver, CO 80203

Dear Chairperson Donovan, Vice-Chair Danielson and Members of the Committee:

On behalf of Alley Cat Allies and our over 19,000 supporters in Colorado, I urge you to **vote no on HB21-1160, Care of Dogs And Cats in Pet Animal Facilities, also known as the “Colorado Socially Conscious Sheltering Act.”** If enacted into law as it is currently written, this bill will create an unacceptable threshold for cats and dogs to be “euthanized,” i.e., killed, in Colorado’s animal shelters and pet animal rescues.

Alley Cat Allies is the leading advocacy organization dedicated to protecting and improving the lives of all cats. We have promoted sound and compassionate policies for cats since our founding in 1990, and we regularly work with lawmakers, shelters, and the public to change attitudes and advance lifesaving laws and policies that best serve the interests of cats.

This bill would introduce subjective criteria for the killing of cats and dogs throughout Colorado, a significant mistake that would open the door to many more deaths in the state’s shelters and rescues. Cats are sentient creatures, each with their own innate value. Killing cats is never an acceptable approach in our compassionate society. In a 2017 Harris Poll, 84 percent of Americans said they prefer their community use tax dollars to adopt sterilization as its cat control policy instead of bringing cats outdoors into shelters to be killed.

Subjective Decisions to Kill

HB21-1160 includes language that is so imprecise that it would allow untold numbers of animals to be killed in shelters and rescues. The bill directs that “healthy” and “safe” dogs and cats should be adopted out, returned to their owners or transferred to another animal shelter or pet animal rescue. However, its definitions of “healthy” and “safe” are highly subjective. Please see Section 35-80-106.6, Sections (2)(a) and (2)(b):

- (a) “Healthy” means that a dog or cat exhibits no signs of illness or injury or exhibits signs of illness or injury for which there is a realistic prognosis for a good quality of life.
- (b) “Safe” means that a dog or cat has not exhibited behavior that is likely to result in bodily injury or death to another animal or human being.

Including these definitions could be deadly for community cats, sometimes called feral cats. Section (2)(a), does not indicate how significant an “illness or injury” must be for a dog or cat to qualify for nonlethal care. Many community cats enter shelters with minor snuffles and scratches, and such imprecise language would allow shelters and rescues to arbitrarily decide to kill these animals. Similarly, while Section (2)(b) calls for an assessment of behavior to determine if a dog or cat is “safe,” the bill includes no objective criteria for such an assessment. All cats, especially feral or community cats, can become extraordinarily stressed when entering shelters or rescues, exhibiting behavior that is often misunderstood. Without objective measurements on what is “healthy” or “safe,” this bill would have the opposite effect from its stated intent, and place cats and dogs throughout Colorado at a major risk of being killed.

Inadequate Exclusion

The bill’s attempt to exclude unsocialized cats is also inadequate. Please see section (7)(a):

- (7) Nothing in this section (a) applies to a cat that was not socialized to people during its behavioral

development and therefore does not allow itself to be handled.

Cats who are living in groups, or colonies, exhibit a wide range of socialization to humans. Shelter and rescue workers frequently lack the training to make an accurate determination of a cat's level of socialization. As such, the state should not be giving them such discretion to determine which cats will be subject to the arbitrary and deadly decisions called for by this bill.

We agree with the sentiment of the bill to improve life-saving outcomes for ALL ANIMALS who enter shelters and rescues. However, the subjective decisions that the bill calls for could have the opposite effect, and lead to more animals being killed. For this reason, we urge you to **vote no on HB21-1160** on behalf of your constituents, our supporters, and Colorado's cats.

Sincerely,

A handwritten signature in cursive script that reads "Becky Robinson". The signature is written in black ink and is positioned above the typed name and title.

Becky Robinson
President & Founder, Alley Cat Allies

cc: Rep. Monica Duran
Rep. Matt Soper
Sen. Don Coram
Sen. Joann Ginal

Dear Members of the Committee:

I'm writing to ask you to **vote NO on H.B. 21-1160** in the Senate Agriculture and Natural Resources Committee on Thursday, April 22, 2021.

I've been a no-kill advocate since 2004, when my husband and I adopted our first dog from a no-kill shelter in Denver. Since then, we've fostered or adopted numerous dogs and cats (including those who were old, frail, disabled, sick, or at the end-of-life) as well as volunteered for a no-kill shelter. I hope you will consider the following observations in forming your position on this bill.

This bill is puzzling, unnecessary, and divisive. It can only be understood in the context of the term "socially conscious sheltering" which is the title of the new section that would be added by this bill. This term is basically a marketing/branding/sloganeering term, and I believe that marketing and branding are the **WHOLE POINT** of this bill.

What the primary proponent of this bill is asking for, as a single player in a large business community of diverse animal shelters and rescues all over the state, is to have **ITS OWN PARTICULAR BRANDING SLOGAN**, "socially conscious sheltering," enshrined in the Colorado Revised Statutes.

This is as offensive as if one player in, say, the insurance industry, the sporting goods industry, or the computer industry, came before you to ask that its particular branding tagline or slogan be put into the state statutes. Would you countenance a company wasting your time by asking you to put the "Like A Good Neighbor Act," the "Just Do It Act," or the "Think Different Act" into the Colorado statutes? Yet, this is exactly what one big player in the animal sheltering and rescue community is asking you to do.

There is, in fact, very little of substance left in the bill at this point. Most of the bill is just legislative declarations and fluff words that are causing confusion and consternation. No one would argue with the desirability of timely medical care for homeless companion animals, or the desirability of addressing their behavioral needs. But I understand that when the suggestion was made to the primary proponent to remove the "socially conscious sheltering" branding slogan from the bill because the rest of the community saw right through it, and because it is sowing division, those three words were literally the only no-compromise, must-be-left-in portion of the bill from their standpoint.

Doesn't that reveal to you that branding is literally the **ONLY** thing they want out of this bill? That offends my sensibility, not just as a proponent of a

different sheltering philosophy (and I guess you could call that a brand, too), but as a citizen who doesn't believe that big-moneyed interests should be trying to bully their way into using state statutes for sloganeering purposes while pretending "it's all about the animals." That is truly offensive, and the legislature should not be forced to waste its time and its important work, on enabling this behavior.

I ask you to vote "no." If the proponents really care about the animals, then give them some time to pull together ALL of the sheltering and rescue community to discuss what really is of mutual concern to us in furtherance of our shared mission. This did not happen with HB 21-1160. We do have a shared mission, and this discussion needs to happen. Passing this bill will only further the divisions and suspicions that this activity, by one player, has heightened in the shelter and rescue community.

Thank you for considering my views.

Tami Tanoue



67500 E. County Rd. 34 Byers, CO 80103 303-968-4274

April 22, 2021

Dear Senators,

My name is Amy Vyskocil, Founder of Happy Haven Farm & Sanctuary, a sanctuary dedicated to special needs animals, and I'm asking you to vote "NO" on HB21-1160.

I have read numerous statements and "fact sheets" from the supporters of the bill that state that the bill "doesn't say this" or "doesn't say that" and that is exactly the issue. The bill is vague and open ended and would allow the state to begin to force their opinion as to what is "Healthy" and "Safe". Everything mentioned in the bill is already in practice in shelters and rescues in Colorado so it would provide no benefit, other than to open the door to over regulation. The supporters would lead you to believe the bill is about helping "healthy" and "safe" animals find loving homes, while requiring standards of care and a mechanism to prevent cruelty and suffering, which sounds wonderful. It is also all things that are already addressed. Colorado is blessed to have an amazing network of shelters and rescues that work together to ensure homes are found for all of the "healthy and safe" animals in our care. I believe it is a rarity for an animal meeting that description to be euthanized. In fact, at my last inspection, the inspector commented that Colorado is so desperate for adoptable cats that we are "importing them" from other states. Which brings me to the second criteria – that it would require a standard of care and prevent needless suffering. All rescue and shelters must be Licensed under the Pet Animal Care and Facilities Act (PACFA) which lays out strict guidelines for facility maintenance, cleaning, enrichment, care and requires proof of necessary veterinary care. We are inspected annually and required to make any necessary changes. In addition, if there is a complaint filed with the state for cruelty or neglect, PACFA and an animal welfare investigator will investigate the matter and take any necessary action to address the situation. Again, something the bill claims to be providing but which is already in place. This bill provides nothing new, other than an open door to overregulation further down the line, to the detriment of the animals – the proverbial camel's nose under the tent.

As the founder of a Sanctuary dedicated to the care of animals that are exactly the opposite of what this bill deems to be safe and healthy - we take animals based on medical, physical, psychological and behavioral issues to include feral cats, seniors and bite cases in order to free up space in local shelters for more adoptable pets and to provide the animals in our care a lifetime home - this bill is extremely concerning. The proponents will argue that it doesn't say you will be required to euthanize an animal that doesn't meet the defined criteria of "healthy" or "safe" but it doesn't say you won't be either, and therein lies my concern. This bill is so open ended as to lead to the possibility that during inspection, my PACFA inspector could decide that

my three legged deaf dog who loves his life dearly, or the feral cat who hisses at strangers, does not fit the defined criteria and fine me or revoke my license for non-compliance. These animals deserve better than this. Please, I ask that you consider what the true intention of this bill is. The majority of what it claims to entail is already in practice and therefore not necessary, so ask yourself why it has been proposed. Please, vote no. The less than perfect animals are counting on you.

Sincerely,

Amy L. Vyskocil

Amy L. Vyskocil

Founder/President

Happy Haven Farm & Sanctguary

	<p>home. Oh boy were they worth the wait! :-) Sometimes when my new family takes me for walks I see the girl who sat with me on my first day. I wonder if she can see how thankful I am to have been given a chance. :-)</p> <p>If HB21-1160 is passed, Aquarius and thousands of GOOD animals just like her won't be given a chance. It's my job to speak for those who have no voice. We beg you, vote NO on HB21-1160.</p> <p>Sincerely,</p> <p>Breanna Williams</p> <p>The girl in the kennel</p>
<p>Veronica Eckert</p> <p>Against</p> <p>Self</p>	<p>I am writing to request that you do not pass this bill. While the underlying intent is the welfare of the animals who are under the care of the governed organizations and the safety of the community, the current language related to "Healthy" and "Safe" is ambiguous. There is no clear definition or objective evaluation parameters for defining what is considered "not" healthy or "not" safe. Additionally, PACFA already addresses management of dogs deemed "dangerous". This bill, as it is worded, potentially expands the definition of "dangerous" depending on how it is interpreted and executed.</p> <p>And most distressing, due to the absence of a few words that would better align this legislation with the "No Kill" philosophy and champion ALL the animals that it is meant to protect, organizations who, at their hearts, have the same mission, are pitted against one another. Let's make this about the animals, not about which organization is larger or has more money. Rural and underfunded shelters have the most at risk with this legislation.</p> <p>Surely we can take a longer look at this issue and consider rewording the Bill to allow all shelters to save every possible life that they can without risk.</p>
<p>Jessica Jones</p> <p>Against</p> <p>Self</p>	<p>I write you today to voice my opposition to HB21-1160. It has come to my attention that the committee will consider this bill on 03/22/21. As a foster for neo-natal kittens I don't believe this bill benefits the animals in our local community. The language lacks definitions and leaves too many issues up for interpretation. When an animals life is at stake there should be clarity in the procedures in place an HB21-1160 just lacks clarity in the terms used. In truth how can we know what an animals mental state is, we know there</p>

	<p>are better ways to evaluate animals than attempting to glean their mental state from behaviors observed in a stressful shelter environment. We are so lucky in Colorado to have many qualified rescues to assist with animals whose needs fall outside of what a shelter can provide. If we are looking to reform policy around animal welfare in our state it should truly benefit the animals. This bill seems to only benefit a small number of agencies that provide animal care in our state and does not seem to benefit the animals at all.</p> <p>Thank you for considering,</p>
<p>Penny Jones Against Self</p>	<p>I write to you today to voice my opposition to HB21-1160. The Ag committee is scheduled to discuss this bill on 03/22/21. Earlier this year we had the opportunity to adopt a new furry family member named Lumos. Lumos was born in a foster home after her mother was removed from an animal hoarding situation in Aurora, CO. We are incredibly lucky that her mother ended up with a rescue rather than at a shelter as she looked like a hopeless case from the start. Lumos struggled with a condition most commonly referred to as failure to thrive. She just was not gaining and growing with her mother, on her second day of life she weighed just 55 grams, 20 grams less than the average kitten at birth. After consulting with a veterinarian Front Range Freedom Rescue was able to transfer Lumos's care to one of their fosters who specializes in caring for neo-natal kittens. She had to be tube fed for two weeks before she was able to latch to a bottle and start eating on her own. Lumos also struggled from another condition called twisted leg syndrome. Her skeletal system was sound but due to the way her body was positioned in utero the tendons in both her back legs developed twisted. Twisted leg is very treatable especially when caught early but does require a lot of physical therapy. That therapy started for Lumos on her second day of life, 12 times a day and by the time she was 12 weeks old she had full normal use of both of her affected limbs and was healthy enough to move on to her forever home. I tell you all of this to offer just one example of many animals that have the ability to go on and live happy healthy lives with just a little extra care. This bill does not protect animals like Lumos. The terminology is vague and depends on interpretation. We are so lucky to have so many rescues in Colorado that have the resources to care for animals like Lumos and to live in a state that embraces animal rescue so fully, new legislation should protect the most vulnerable not make it easier to cut their lives short without exploring other options for care.</p>
<p>Nancy Bean</p>	<p>To whom it may concern:</p>

<p>Questions Only Self</p>	<p>In March of 2021, my mother unexpectedly passed away. She was living in a rural part of New Mexico and had her own small unofficial cat rescue at her home. In total she had 35 cats. A short time before she passed away, she let me know she could no longer take care of them. I immediately started calling every no kill rescue and shelter in New Mexico and was told repeatedly “No, that they did not have any room.” Or that they would only take cats that could be handled, and some charged a fee of \$250/cat. The cats were well taken care of, but some of them were very shy and skittish and I could not afford \$250 per cat. Since I live in Colorado, and new our state was much more pet friendly, I decided to call around to the no kill shelters here. I spoke with DDFL and they basically told me that they did not turn away any animal, but that if that they will euthanize if an animal is extremely ill, injured, or dying or if it is aggressive or has behavioral issues. Since this was the only shelter that had told me “yes” I figured this was the cats’ best chance. My siblings and I spent a few weeks down in NM taking care of the cats and made a plan to transport the cats to DDFL. The day prior to us heading back to Denver with the cats I received a return call from MaxFund and they told me they would help me and that they wanted any that were sick or old or scared. I was shocked. A shelter that actually wanted the cats nobody else did. Well I didn’t want to overload 1 shelter with all the cats, so we decided to split them up between DDFL and MaxFund. On the 10-hour drive to Denver I kept thinking I wish MaxFund would take them all. I just knew in my heart they would be taken care of there. We got to MF first and after a few minutes of discussions between the staff they let us know they are going to take all of that we had brought, which was 27 at the time. I cannot tell you what a relief that was. During the most difficult time in my life, I felt we were truly honoring my mom’s life and giving these cats the best chance they had at a happy ending. I always thought a no kill shelter was a no kill shelter, but now I know the difference and I am so thankful we found MaxFund.</p> <p>Sincerely, Nancy Bean</p>
<p>Lorraine Springer Against Misha May Foundation</p>	<p>I urge you to oppose Senate Agricultural and Natural Resources HB 21-1160.</p> <p>When I read HB 21-1160, I have only questions, confusion, and sadness. Please think through the following questions before you form a final opinion.</p> <p>1. Why would our shelters, with assets of tens of millions of dollars, promote a bill which guides them to save fewer animals?</p>

	<p>2. Why are the shelters with the means to save more animals easily, and whose philosophy rests on euthanasia as a routine tool, supporting this bill? Why are groups dedicated to saving more animals, while utilizing true and traditional euthanasia only as a last resort, opposing this bill?</p> <p>3. Why will shelter employees be permitted to make life and death decisions for animals based on the vague undefined standards of this bill?</p> <p>4. Why wouldn't rescue groups who utilize professional trainers and behaviorists be permitted to accept and assess animals who were presenting poorly in the unnatural stressful environment of a shelter?</p> <p>5. How will you explain to the public that our shelter system is not promoting and supporting a bill to make Colorado the safest, most compassionate state for pets, considering that our State Dog is the Rescued Dog?</p> <p>6. When you personally visited behind the scenes, behind the public relations efforts, behind banquets and fund-raisers, which animals did you personally track in a supporting shelter to see for yourself their outcomes and the justifications for staff decisions?</p> <p>Background:</p> <p>I am Lorraine May Springer, founder and director of Misha May Foundation, a 501(c)3 non-profit, which has spent almost 20 years co-operating with Colorado shelters, by accepting transfers of animals they deemed unadoptable and, therefore, suited for euthanasia in their opinion.</p> <p>Hundreds of dogs and cats found appropriate homes through our well-designed adoption / training programs. Members of the public truly understood that it is ethically and morally right to help animals who have lost their homes and families to find themselves abandoned in a shelter. We treated many who were suffering from P.T.S.D. and in profound grief.</p>
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	<p>In contrast to our shelters with their new buildings and accrued assets, but like so many other rescues, we saved lives in foster homes since we had no facility, on a shoestring annual budget of \$70,000 or less, and with dedicated volunteers.</p> <p>I appreciate your time and your thoughtfulness.</p> <p>Sincerely, Lorraine May Springer</p>
<p>Nancy Nicholson Against Self</p>	<p>Dear Senators,</p> <p>I am writing to you to express my opposition to HB21-1160.</p> <p>I have been a foster for two different Colorado PACFA rescue organizations. Several of my former foster dogs would have been at risk of euthanasia under this vague and poorly written bill, including my own “foster fail,” Shasta. What defines “Safe” and “Healthy”? Who gets to make this determination? Under what time constraints are these determinations made?</p> <p>One of my earlier fosters, Shasta, came to me petrified of humans and clearly had no experience with buildings or civilization in general. Months of love, care and confidence building and she turned into the best of the six dogs I’ve owned as an adult. We go skijoring, hiking, backpacking, paddle boarding and participate in agility classes. I’m hoping to trial her in agility one day. I can’t image life without my funny, silly girl who to many, might have seemed like a lost cause when we first met.</p> <p>My foster last summer, Scarlet, I specifically picked because during the long quarantining months of the pandemic, I knew I would have time to work on a “project” dog. Scarlet was also very uncomfortable with humans. She also ended up being pregnant. After several months of slowly teaching her to trust humans, she found a home where she is adored. Scarlet particularly likes to snuggle on the couch with her adopter’s mother when she comes to visit. Several lives saved by taking the time to work with a dog that many thought was unadoptable.</p>

	<p>Several years ago, I took in Diamond who had been with the rescue for over a year. Considered reactive to dogs, she was struggling to find a home of her own. Within four months, I had her playing with my dog, Shasta, and politely investigating my cat. A couple months later, I found the perfect home for her which included two other dogs and a cat. Her “mom” was devastated when she passed away a few years later in the night. (Being a Boxer/Bull Dog mix, a heart condition was suspected.)</p> <p>I wish you could see the before and after of some of the dogs I’ve worked with. Many, many dogs out there just need a chance like the one I was able to give to Shasta, Scarlet and Diamond. Instead, a few large shelters are trying to take the easy way out, and dictating those choices on the smaller rescues who are truly making a difference.</p> <p>Thank you for your consideration,</p> <p>Nancy L. Nicholson</p>
<p>Catherine Whitney For Self</p>	<p>HB21-1160 gives me hope that Colorado can bring compassion and public health back to issues around pet animal welfare.</p> <p>I received my animal science degree in Denver in 1997 and was immediately recruited back to my home state of Alaska. I returned to beautiful (sunny!) Colorado in 2014. I erroneously thought because Colorado had strong veterinary education for both DVMs and technicians, the level of animal care and protection of public health would be at least analogous to what I experienced in Alaska. In Colorado's rural communities (I've also spent significant time in the San Luis Valley) well-meaning people literally love animals to death and compromise public health with regards to rabies and other zoonotic illnesses. Call it hoarding, call it ignorance, but please do NOT call it animal "rescue". Without boundaries and the proper use of humane euthanasia, animals sit in their excrement and experience mental and emotional suffering from crowding and from illnesses for which they have no sense for delayed gratification. Pets suffer in the moment, and at that moment that suffering is their whole life. Chronic aggression is also suffering.</p> <p>We have much to do in terms of educating people about pediatric spay and neuter and preventative care. The PACFA organizing documents are</p>

	<p>beautiful. But so many of these rescues are still rising to the minimal standards outlined there.</p> <p>Beyond these issues about animal care, HB21-1160 also creates a path forward where veterinary professionals MUST be part of the basic standard of care for pets in these situations. Colorado is filled with passionate animal lovers. But there's a difference between someone who loves animals from someone who spent \$200K + and a decade of their lives becoming a veterinary surgeon. They need to find a way to work together when making decisions for companion animals.</p> <p>I work for a humane society on the Western Slope specifically because they are socially conscious instead of "no-kill". I've seen way too much animal and human suffering from the no-kill operating system. The idea that ANY of us want to kill dogs and cats is a level of trauma heaped on us on top of the pain of sorting through community-level overpopulation issues.. HB21-1160 is an important and deeply circumspect positive step forward.</p> <p>Thank you in advance for your valuable time,</p> <p>Catherine Whitney, LVT, CVT, M.Ed</p>
<p>Crystal Willie Against Pet Association of Estes Park</p>	<p>Hello,</p> <p>Our organization was founded 48 years ago with the intent of helping our local animals in need. Caring for their medical needs and placing in them homes appropriate for the personalities and behaviors.</p> <p>Please OPPOSE this Bill, HB21-1160.</p> <p>House Bill 1160 will force Colorado's lifesaving rescues and shelters to kill treatable homeless pets or increase taxpayers cost for running their municipal animal welfare organizations. Colorado should and can be a leader in animal welfare!! By requiring that shelters and rescues place ONLY "healthy and safe" cats and dogs for adoption is ridiculous. There are many animals that can be saved with special consideration and care.</p>

	<p>Please help make our state the safest and most humane place for our shelter cats and dogs. Vote NO on House Bill 21-1160.</p> <p>Thanks!</p> <p>Crystal Willie, President of the Pet Association of Estes Park</p>
<p>Wendy Hall Against Self</p>	<p>I have volunteered in and financially supported animal rescue shelters in Colorado and nationally for over 40 yrs. While living in the Denver metro area, I personally visited and assisted the House Rabbit Society, Cavy Care (rescued guinea pigs, etc.), Longhopes Donkey Rescue, smaller volunteer-run rescues too numerous to name, Foothills Animal Shelter, Denver Dumb Friends League, MaxFund, Cat Care Society, on and on. I consider Foothills Animal Shelter the Gold Standard for a big-city rescue organization. The same is not true of other organizations that are large and well-known in Colorado. When an organization is run by volunteers rather than a large paid staff, that doesn't mean it isn't doing good work. And, if a shelter isn't "open door," in other words sometimes full, that also doesn't mean it isn't doing good work. In fact, as with many large restaurants, retail stores, corporations, and yes -- animal shelters, the bigger they get, often the more distanced they are from what their original mission and purpose is. Please believe me that I have seen things I cannot unsee. The abject cruelty of some humans towards animals is beyond my ability to put into words. I and a number of people who founded and run these volunteer-run animal rescue shelters (I know they have also submitted comments, letters, testimony) give everything they have: the physical effort of caring for the animals AND the financial support needed to care for the animals. The worst "conditions" for animals I've ever seen are by backyard breeders, licensed and unlicensed breeders, some city-run shelters with staff assigned via a paygrade rather than based on their affinity for animals, pet stores, etc. This bill is wrong at so many levels. But for sure, size (volume) and level of dollars supported is not the model & guidance for small rescue organizations located in areas where help for animals is desperately needed but there isn't much financial support available. Individuals volunteering their time and effort in shelters are not letting dangerous dogs, animals that are suffering, animals so horribly injured or abused that all hope is lost -- we do not "keep them alive" when kindness and compassion dictates otherwise. Just as with breed specific legislation -- the problem isn't with the animal. It's with what humans have done to them. I beg you to vote "AGAINST" HB21-1160.</p>
<p>Christine Jordan Against Colorado Japanese Chin Rescue</p>	<p>This bill is extremely vague and does not define a healthy animal. We take in many animals who have treatable health issues that are easily addressed. In our rescue we get every animal whatever they need medically, emotionally and behaviorally in order to live their best life. Many seniors who need rescue most would most likely not make it out of a shelter with this bill. We already have regulations in place for the care of pet animals which require care standards. This bill appears to be in direct</p>

	<p>conflict with the standards already in place. Many of the dog's we have taken in, cared for and adopted out would probably not be here today if this bill was in place. Surely the legislature has better more important issues to address than passing something that will be a death sentence to many animals who just need some medical care and compassion. This is a horrible bill.</p>
<p>Kristine Riedel Against Self</p>	<p>Thank you for allowing me to submit written testimony. My name is Kris Riedel, and I am a volunteer for a local shelter here in Denver. I am submitting this testimony in opposition of house bill 21-1160 as it is written.</p> <p>I am writing today not only as a volunteer, but as a foster and an adopter of those marginalized animals that we see come into our shelter on a daily basis. While this bill may offer protection for those highly adoptable and healthy animals, what it does NOT address is the protection for those animals that are deemed either not healthy or not safe based on a highly subjective, and oftentimes, inaccurate initial evaluation. The vague, misleading, and contradictory language in this bill leaves these extremely vulnerable animals in an even more vulnerable position if the language in this bill is not changed.</p> <p>I think that it's important for you to hear about some of the animals that are NOT addressed in this bill, so I'd like to tell you about my foster cat, Pearl.</p> <p>She came to our shelter as a stray at 12 years old, at 3 ½ pounds, had quite the laundry list of medical issues, and was NOT the friendliest cat in the world (to put it mildly). As described by the language of this bill, Pearl was neither healthy nor safe, and had a very high probability of being euthanized had this bill been in place at that time.</p> <p>Today after being given the time she needed to heal both physically AND emotionally, Pearl is now a happy, healthy, and well-adjusted cat. She just needed extra time to heal and blossom in a loving environment, and this bill as it is written would have never afforded her that opportunity.</p> <p>So, I urge the committee members to please think about those animals like Pearl that are left unprotected by this bill and to please vote "NO" or at the very least, please consider a broader representation of the shelters all</p>

	<p>across Colorado to come together, collaborate and improve the language in this bill so that ALL animals are protected.</p> <p>Thank you for your time and consideration.</p>
<p>Scott Hafeman</p> <p>Against</p> <p>Self</p>	<p>Dear members of the committee, I apologize for not being able to appear in person due to a COVID diagnosis this week. However, I would like to voice my opposition to HB21-1160. While I think the sponsors of the bill have their heart in the right place, the bill as written I fear would have unintended consequences that could result in more animals being unable to find homes, or worse be euthanized. As a veterinarian I would speak primarily to the medical side of this bill and let others speak to the behavioral aspects. I have worked for many years part time at the MaxFund shelter, and have personally witnessed the miracles that can happen when animals are given the chance and the proper medical treatment to heal. Just as miraculous are the people who adopt these animals that may be diabetic, have 3 legs, have kidney disease, be without the use of their back legs, or any multitude of conditions that may not be deemed "healthy" or have a "realistic prognosis for a good quality of life" as defined by this bill. I have personally seen such animals thrive and go on to live happy lives with their new families after many would have given up on them. With these vague definitions, I worry that there are animals that won't be fully given a chance to be rehabilitated, healed and adopted as is currently being accomplished. While the goal of the bill is clearly to make sure that animals are not languishing in shelters, by making it more difficult to place animals that may not be deemed acceptable by these standards I fear this bill could in fact increase the numbers of animals in shelters. If an organization fears being fined by a vague standard, will they be less likely to adopt out a dachshund in a wheelchair? Will that dog be euthanized or have to live in a shelter when she could have found a good home? I don't see how these types of situations are addressed in this bill, or how the bill would succeed in its stated goal of increasing the quality of life for animals in shelters, particularly when making it harder to determine which animals are deemed proper for adoption. I would much rather see a bill call for increased funding and veterinary oversight in such facilities, so that these life and death decisions can be made by a professional on scene, and not by legislative fiat.</p>
<p>Rhonda Bliss</p> <p>Against</p> <p>Self</p>	<p>I adopted one of my puppy mill survivors 5 years ago from a rescue in Colorado. All of the dogs from that mill were extremely traumatized and antisocial, even feral. Mine was horribly withdrawn with high anxiety, but with my training experience, I was up to the challenge. Unfortunately, three of her mill mates were fear biters, and although all under 15 lbs, they</p>

	<p>could not be placed into adoptive or foster homes. Instead, they were transferred to a special rehab program, and after 4 yrs, they were finally placed in their forever homes and have done very well. Under this proposed legislation, they wouldn't have been considered "safe" and could NOT have been transferred to the rehab program.</p> <p>I adopted one of my cats at the age of 10, and like most senior pets, she had some medical issues, but they were and are "treatable." Would she have been considered "healthy" under the proposed legislation? My other cat was rescued from a hoarder. She was almost feral and wouldn't allow anyone to handle her, biting and scratching. It took several months of rehab before she was finally put up for adoption. I have had her for 10 yrs and she is now a very loving, happy kitty. Would she have been considered "safe" under the proposed legislation?</p> <p>Dogs and cats that have been abused and are not normally socialized can very often cause injury out of fear, and require specialized rehab. Dogs and cats like these deserve an opportunity when they have suffered so horribly at the hands of humans.</p> <p>I've also spent the last 2 1/2 yrs since retiring, helping find lost pets. It is already a significant problem that finders of lost pets will often keep, sell, or re-home them illegally, without proper vetting of applicants, that can result in the pets being used for nefarious reasons, including dog-fight bait. Most finders are well-meaning, but they are trying to keep the pets out of shelters fearing they will be euthanized. This proposed legislation will make this problem far worse.</p> <p>This bill contains very contradictory and vague language, falls short of specifics, does not specify who is qualified to make determinations of irreversibly unsafe pets or how quality of life is assessed in pets with medical issues or disabilities, and does NOT allow for the transfer of pets into special programs that can give them the care required. Coloradans love our pets and we want and need much better legislation to protect pets AND pet owners, but this bill will do more harm than good!</p>
<p>Tracy Wood Against Self</p>	<p>Good afternoon, my name is Tracy Wood, one of your Denver constituents . Thank you for allowing me to voice my opposition. Countless people interpret the wording of the bill differently. That alone is a red flag! Statutory laws are intended to be written so that each word has meaning & if words are not included with clarity it's easy to see how you have over 16,000 signatures from your constituents OPPOSING the bill & hearing from countless more each day. Instead of allowing shelters to provide</p>

	<p>refuge & care for these animals it allows arbitrary decisions to be made based upon someone's subjective interpretation of an animal's quality of life. Those animals deemed lacking life's quality could be sent away or euthanized. The vague standard written is so high as to give a chance only to those animals deemed "perfect." I am sure you are familiar with cats and dogs who, objectively, may have health-related strikes against them...blindness, deafness, congenital or age-related disabilities, controllable yet recurrent, chronic, or incurable illnesses, etc. We foster and adopt out such animals, & they live long happy lives that hands down IMPROVE our quality of life as well.</p> <p>Anyone of us could easily list hundreds of examples of how the wording in this bill could be used to end lives. It can be hard for people outside of animal welfare circles to believe that animals in shelters are destroyed for having been classified using words, but it happens every day. And after all, once a bill becomes law, it is too late to come back after an animal was euthanized & say that wasn't our intention when we passed it. Senators, I implore you on behalf of the growing number of constituents who have already voiced our opposition to this bill, PLEASE vote NO today! Allow ALL who oppose & support this bill enough time to come together with a VERY clear & transparent bill that crafts the kind of standard of care needed to safeguard the animals & greatly improve the lives, trust, faith & satisfaction your Colorado residents have knowing that all of your hard work provides us with the quality of life we deserve & expect in the leadership of our government. The kind that also inspires countless other members of the State, Senate & House as well!</p>
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<p>Ellen Zachary Against Self</p>	<p>Greetings:</p> <p>I am opposed to HB21 1160 for the following reasons:</p> <p>The definition of "healthy and safe" will disenfranchise so many dogs and cats surrendered to shelters...almost all senior animals have some sort of medical issues...dental, (usually due owner neglect), arthritis (very manageable)...will these animals be given the opportunity to be adopted? There are adopters out there that want only seniors...I myself have adopted 5...will they be euthanized unjustly because they will require some time and resources? One of the tenets of this "model" is collaboration...I have not seen collaboration from the large municipal shelters during my years as a shelter volunteer, and I have volunteered at several...they tout a "robust" intrastate transfer system, but it seems the shelters they choose to work with are a only a handful of existing facilities. As far as the label "safe", who makes that call...one executive director I spoke to said that having a trained animal behaviorist on the staff would be an expensive "luxury"...Denver Animal Shelter's website says they have no behavioral assistance available...who will be making the decisions on assessments? I have personally worked with dogs who were initially incorrectly assessed, but went on to be adopted in to great homes. This bill raises more questions than answers...it might sound good on paper, but it is not, and needs more work, and also the collaboration with other groups that were initially left out of the crafting of this unfortunate bill. Please say no to this bill.</p> <p>Thanks you</p>
<p>Judy Gee Against Self</p>	<p>I have volunteered for both shelter and rescue groups for the last 40 years. I have seen countless dogs who were unable to cope with the shelter environment. They might have been classed as aggressive for biting out of</p>

	<p>fear, yet they flourished without incident when transferred to a less stressful situation such as a rescue-based foster home.</p> <p>Please do not deny these dogs the opportunity to become loved family members. This bill should be defeated. Thank you for your attention.</p>
<p>Lisa Ahlers Against Self</p>	<p>I am reaching out to you as an animal lover about HB21-1160 "CONCERNING THE CARE OF PET ANIMALS IN THE CUSTODY OF CERTAIN 102 PET ANIMAL FACILITIES."</p> <p>I adamantly oppose HB21-1160, and I would like to share my concerns about this bill from the viewpoint of not only a volunteer, but as a person that has adopted and fostered cats that this bill would deem neither "Healthy nor Safe" and would have been euthanized and not given the chance for a loving home with a good quality of life.</p> <p>My recovered feral cat is now named Neville Longtail. His name at the shelter was Baldwin, I got to know him during my time as a volunteer. I spend at least an hour every time I am in, in the Feral room. Baldwin was incredibly scared when I first met him, of both humans and some of the more alpha cats in the room. Over a year and a half I slowly got to know Baldwin and he began to trust me. He loved treats and after a while, he started to trust me enough to let me pet him while he ate. This made me feel so great, and it was a wonderful sign of trust. Around my year and a half mark Baldwin and I had really formed a bond so I decided to foster him. I wanted to adopt him immediately but first I needed to make sure he felt safe with my other two cats. He spent the first few months living in our closet and eating there as well. Slowly he started to venture out for food farther into our apartment. It was slow progress and with how much change moving from the shelter to a home entails it took Baldwin a long time to allow us to pet him again, even when he was eating. I started to call him Longtail, a cat pun of Longbottom, because he was truly the epitome of bravery in my eyes. He kept learning to trust us and our cats more and more each day and he inspired me to try and trust people more as well. I know he had to have had some bad experiences with humans as a cat on the streets, but he has learned to love and trust again. He has been with us a year and 3 months now and he lets us pet him all the time. He likes to lay on our laps sometimes which I didn't know he would ever do and he loves to lay on my feet. He went from terrified and scared at the shelter, so he would swat to protect himself and hiss, to loving, purring and trusting here in our home. He was given a real chance at life, thanks to MaxFund. If he had gone to another shelter he would not be alive as he would have been euthanized for being "aggressive" when really he was just scared and used to being mistreated.</p>

Senate Agriculture & Natural Resources

<p>Ellen Feller Against Self</p>	<p>The vague language in this bill will end up hurting many animals, and punishing the rescues that go the extra mile to take in the toughest cases - both from a medical and behavioral standpoint. I understand that it sounds good on the surface, but if you reach out to some of the NO KILL rescues or sancturaries you will know differently. Also, with vague language, the enforcement of this will end up fining a number of the small no kill rescues and shelters. Since this bill expects additional revenues based on fines, who is really benefitting here. If you have any compassion, you will help the animals.</p>
<p>Amy Vyskocil Against Self</p>	<p>Dear Senators,</p> <p>I am a volunteer and supporter of Happy Haven Farm & Sanctuary and I am writing you to vote NO on HB21-1160. This bill would be detrimental to rescues such as Happy Haven Farm & Sanctuary who take in many animals that are not necessarily adoptable but can still have a good quality of life. If this bill passes it would mean that many of these animals would have to be euthanized...just because they are old or blind or 3 legged or scared, etc.</p> <p>And all just because the care provided does not meet the standard of the handful of wealthy organizations backing this bill.</p> <p>PLEASE, do not support this bill!</p> <p>Thank you,</p> <p>Ann Larkin Volunteer Happy Haven Farm & Sanctuary</p>
<p>Lisa Martin Against Self</p>	<p>I oppos HB21-1160, which, if passed, puts the lives of Colorado shelter animals at unknown risk. IT IS A DIRECT THREAT TO THE RESIDENTS OF ANIMAL RESCUES AND SPECIAL NEEDS ANIMALS that so many of us work so hard to save. I personally have worked and volunteered for so many shelters and rescues and find wonderful homes for senior and special needs animals that otherwise would be with euthanized in many shelters.</p>
<p>Melynda Snowden Against Self</p>	<p>I am entirely opposed to this bill as it is to the extreme detriment of every animal I have ever owned and the ones that so many friends rescue and care for. I support animal rights, that means their right to live and not be determined that their lives are not viable simply because they have an ailment, a limp, etc. I cannot fathom the lives of my animals having been cut short at shelters because they were deemed simply not good enough, not perfect by a committee who does not truly care for their welfare. We</p>

	<p>don't do it this way for humans... people can live with illnesses that are medically treated, people can live with limb deformities, etc., so why can't animals? So many things we have worked hard to ensure their care and that they are treated as living beings yet this bill does nothing other than take all of that away. I truly hope that every person with a decision making ability on this bill takes into account that animals are the true meaning of unconditional love and they deserve to be given that compassion when not "perfect"</p> <p>Thank you for your time.</p>
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