



April 3, 2023

Assemblymember Bill Essayli  
 State Capitol  
 PO Box 942849  
 Sacramento, CA 94249

**RE: Assembly Bill 595 (Essayli) – OPPOSE**

Dear Assemblymember Essayli,

On behalf of the California Animal Welfare Association (CalAnimals), representing more than 240 animal care and control agencies, SPCAs, humane societies, rescues, and other animal welfare organizations across the state, and joined specifically on this letter by nearly 90 member organizations, we are writing to share our continued opposition to AB 595, including the bill’s most recent amendments.

We have dedicated ourselves to animal welfare through our careers and we know lifesaving is a collaboration. Local governments, communities, and nonprofits are working together to support both

animals and people in California. It is a destructive narrative to suggest those who are empowered by the state to protect animals are actually more interested in hurting them. Your tweet from March 21, 2023: “They (shelter workers) would rather kill animals than work w/rescues” is inappropriate, inaccurate and attempts to further damage community trust in the very institutions charged with protecting animals. This false narrative also works to undermine the positive lifesaving outcomes by actively trying to erode the public’s trust in shelters, leading to fewer people interested in supporting shelters by adopting, volunteering, fostering, or donating.

Let’s not forget that those who work in animal shelters are also the ones who help reunite lost pets with their owners, build cases against animal abusers, and provide community programming to help keep people and their beloved pets together. These animal shelters have hundreds of rescue transfer partners and significantly rely on their support and collaborative efforts to keep space available in shelters. Additionally, unlike rescue organizations, animal shelters have a statutory obligation to intake animals with little control over the number of animals entering the shelter. Euthanasia for space has long been a dreaded outcome and in healthy shelter/transfer partner relationships, space is open because transfers, owner reclaims, and adoptions are robust and keep space available. In well-resourced areas this collaboration works so well that euthanasia for space simply doesn’t occur. Statewide, the long-term trends are clear that this collaborative work and investment of time and money has resulted in significant lifesaving progress. To put this in perspective, according to California Public Health Rabies data over 500,000 dogs entered shelters in 1997 and only 40% left alive. Cats fared worse with nearly 350,000 entering in the same year, but only 22% surviving. The latest data shows a drastic decrease in dog and cat intake and far better positive outcomes. According to Shelter Animals Count, in 2022 only 178,000 dogs entered California shelters and over 86% left alive, and nearly 166,000 cats entered shelters with 79% leaving alive. (Euthanasia data includes animals irretrievably suffering, significant injury, and aggressive dogs.)

Animal shelters in under-resourced areas in our state see higher animal intake per capita, fewer adoptions, staffing challenges, and smaller budgets compared to wealthier communities. There is no direct federal or state funding to help shelters meet our state’s commitment to positive shelter outcomes. Intake is higher in these shelters because heartbreakingly, their residents struggle to keep their pets due to societal issues like economic insecurity, housing limitations, insurance restrictions, and scarce or totally unavailable affordable veterinary services. Animal welfare challenges often mirror societal issues and with so many challenges impacting California residents, it should not be a surprise that shelters and rescues are struggling to keep up. This is why CalAnimals is supporting a variety of bills this year including AB 240 (spay/neuter), AB 703 (insurance – dog breeds), AB 781 (emergency shelters – people & pets), AB 1237 (veterinary debt relief), AB 332 (animal data), and AB 1399 (veterinary telemedicine), all of which directly support keeping people and animals together.

The practical effect of AB 595 is a mandate on additional holding times for animals in shelters. Already overcrowded and underfunded shelters will have to make significant changes to their current operations to meet the mandate – changes that will not lead to better lifesaving outcomes. AB 595 isn’t just about “planning ahead” or being more transparent; it’s about a one-size-fits-all mandate that will have negative consequences in many circumstances and communities. Unfortunately, shelters need to pivot quickly when intake outpaces space. As written, AB 595 would make it a crime to euthanize an animal without providing public notice 72 hours before euthanasia. The bill also requires a euthanasia date to be placed in the notice. To meet these new requirements, shelters will need to redefine what it means to be “full.” Currently, shelters can operate at capacity and only make space by euthanizing as a last resort in urgent situations. Under AB 595, shelters will have to reduce occupancy to keep space available in anticipation of legally obligated animal intakes, such as owned strays, victims of hoarding or animal abuse, or animals that require temporary safe-keeping when owners are arrested or hospitalized. To do

that, they will need to euthanize animals sooner, an outcome no one wants. This is the unintended outcome of what appears to be “common sense” legislation.

Shelter environments, regardless of how advanced the facility, are stressful. The ultimate goal for unclaimed animals is to move them out of the shelter as quickly as possible. Ideally this is through adoption or rescue transfers, but many shelters also have robust foster networks. It is also important to note that most shelters in California utilize every available opportunity to increase live outcomes and reduce unnecessary animal intake and euthanasia. For example, many shelters post animals on national adoption websites like adoptapet.com and petfinder.com. If available, shelters utilize social media, support groups, and their own website to publicize available animals. Across the state, shelters are holding animals far beyond the state-mandated hold periods. In fact, California animal shelters are keeping animals in their care on average 20 days or more before they are reclaimed by their owner, adopted, transferred to another group, or euthanized. For most shelters, their rescue partners transfer animals out of the shelter before space concerns occur. This healthy partnership keeps space open for incoming animals.

The latest amendments to AB 595 are gravely concerning. The most troubling is the definition of a dog with such serious behavior issues that adoption or transfer is a threat to public safety. All animal welfare organizations make dangerous dog determinations based on the safety of the public and other animals. Such a determination occurs when a dog displays threatening behavior such as bites or other uncontrolled aggression leading to safety concerns for staff, volunteers, and the public. Shelters are also held to strong standards by insurance companies and the law to ensure public safety.

AB 595 was also amended to include all animals. Animal shelters across the state take in many different types of animals, not just cats and dogs. This bill now applies to fighting cocks, snakes, horses, farm animals, Guinea pigs, hamsters, and in some cases, wildlife. By making the covered group of animals so broad, the adjustments shelters will need to make to meet these requirements are significant.

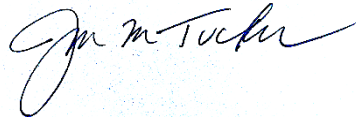
Additionally, the costs associated with complying with AB 595 present a considerable unfunded mandate. The additional hold period and posting requirements place a mandated requirement on government shelters without a source to cover the expense. In 2001, the Commission on State Mandates ruled that additional hold times and posting requirements on government shelters need to be reimbursed by the state. In addition, AB 595 makes the assumption that all animal shelters maintain a website. For small, rural shelters this isn't necessarily true. The bill should be evaluated to determine the fiscal impact to the state of California.

Our opposition shouldn't be perceived as an endorsement of all current animal welfare protections or laws in California. As an industry, we are always looking for ways to improve lifesaving and our track record in the last 23 years proves this. Industry experts throughout the country recognize that lifesaving in shelters starts before animals need sheltering. By creating more opportunities to keep pets with their people, utilizing return-to-owner support in the field, promoting pet identification, and supporting legislative efforts that solve existing problems for Californians, we continue to make improvements and reduce animal intake at a time when the companion animal population has boomed. If we felt the proposed solution in AB 595 were an opportunity for better outcomes, we'd be supporting the bill, as would other animal welfare organizations.

We can agree on one thing: your proposed state study to evaluate California's sheltering system is needed and could significantly increase understanding and support for animal shelters across the state. It is our sincere hope that you'll listen to the animal welfare professionals, who are working on the

ground and dealing with the challenges faced on a daily basis and amend this bill to only include the statewide study. Until those changes are made, we remain in opposition.

Sincerely,



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