

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: April 30, 2018

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso 
Chief Legislative Analyst Council File No: 18-0002-S39
Assignment No: 18-04-0369

SUBJECT: Resolution (Koretz – O’Farrell) in Support of SB 1441 (Stern).

CLA RECOMMENDATION: Adopt Resolution (Koretz – O’Farrell) to include in the City’s 2017-2018 State Legislative Program SUPPORT for SB 1441 (Stern) which would prohibit a person from performing, or otherwise procuring or arranging for the performance of surgical claw removal, declawing, onychectomy, or tendonectomy on a domestic cat.

SUMMARY

The Resolution states that SB 1441 would prohibit a person from declawing a domestic cat. Declawing is a surgical procedure, also known as onychectomy, in which a cat’s toes are amputated at the last joint. The Resolution states that declawing is often mistakenly conceived of as a simple cosmetic procedure, similar to fingernail trimming, with the purpose of stopping unwanted scratching. Declawing can lead to physiological problems, such as excruciating pain, damage to the radial nerve, hemorrhage, bone chips that prevent healing, painful re-growth of deformed claw inside of the paw, necrosis, arthritis, and muscle atrophy.

The Resolution recommends support of SB 1441, which would prohibit a person from performing, or otherwise procuring or arranging for the performance of surgical claw removal, declawing, onychectomy, or tendonectomy on a domestic cat.

BACKGROUND

Existing state law makes it a misdemeanor for a person to perform, or otherwise procure or arrange for the performance of surgical claw removal, declawing, onychectomy, or tendonectomy on any cat that is a member of an exotic or native wild cat species. SB 1441 would also make these same actions unlawful with regard to domestic cats, punishable by a \$250 fine for the first offense, and a misdemeanor punishable by the standard up to 6 months in county jail and/ or a fine of up to \$1,000 for any subsequent violation. SB 1441 does not prohibit the enforcement of a local ordinance that provides a more severe punishment for acts prohibited by the bill. The penalties would apply to both the veterinarian who performs the surgery and the person who requests the surgery.

Declawing has been banned in the City of Los Angeles since 2009, and has also been banned in West Hollywood, Santa Monica, Burbank, Beverly Hills, Culver City, and many other cities and countries worldwide.

The Resolution notes that many harmless solutions for unwanted scratching exist, including trimming a cat's claws with nail clippers, training a cat to use a scratching post, deterrent pheromone sprays, replaceable claw covers, and furniture tape.

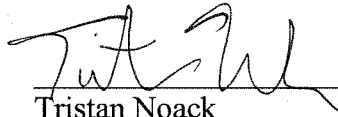
Declawed cats often develop behavioral problems, particularly biting and litter box avoidance, which make them much less desirable as pets or cripple them for life. The Los Angeles Department of Animal Services (DAS) notes that five years after the City's declawing ban, the amount of cats relinquished to shelters was reduced by 43.3%.

BILL STATUS

02/16/18 Introduced.
03/08/18 Referred to Committee on Rules.
04/04/18 Re-referred to Committee on Public Safety.
04/17/18 April 17 set for first hearing canceled at the request of author.
04/18/18 Set for hearing April 24.
04/24/18 In committee: Set, first hearing. Failed passage. (Ayes: 3, Noes: 2, Abstain: 2).

DEPARTMENTS NOTIFIED:

Department of Animal Services


Tristan Noack
Analyst

SMT:tn

Attachment: Resolution

RESOLUTION

WHEREAS, any official position of the City of Los Angeles, with respect to legislation, rules, regulations or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, SB 1441 (Stern) introduced on February 16, 2018, and amended on April 2, 2018, would prohibit a person from declawing a domestic cat; and

WHEREAS, declawing is often mistakenly conceived of as a simple cosmetic procedure similar to fingernail trimming, with the purpose of stopping unwanted scratching; and

WHEREAS, declawing is actually a cruel and inhumane surgical procedure commonly performed on cats that involves amputating the last bone of each of a cat's toes, with a scalpel, guillotine clipper, or laser; and

WHEREAS, declawing presents numerous health risks to a cat, and has been banned in the City of Los Angeles since 2009, as has West Hollywood, Santa Monica, Burbank, Beverly Hills, and Culver City, and many other cities and countries worldwide; and

WHEREAS, declawing creates physiological problems, such as excruciating pain, damage to the radial nerve, hemorrhage, bone chips that prevent healing, painful re-growth of deformed claw inside of the paw, necrosis, arthritis, and muscle atrophy; and

WHEREAS, declawing a cat robs it of one of its primary defense mechanisms and produces psychological problems, which are more difficult to address than unwanted scratching, including difficulty using a litter box, increased aggressiveness, and excessive biting; and

WHEREAS, many harmless solutions for unwanted scratching exist, including trimming a cat's claws with nail clippers, training a cat to use a scratching post, deterrent pheromone sprays, replaceable claw covers, and furniture tape;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes into its 2017-2018 State Legislative Program SUPPORT for SB 1441 (Stern), which would prohibit a person from performing, or otherwise procuring or arranging for the performance of surgical claw removal, declawing, onychectomy, or tendonectomy on a domestic cat.

PRESENTED BY: _____
PAUL KORETZ
Councilmember, 5th District

SECONDED BY: _____