

**ANIMAL ISSUES MOVEMENT**

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Date: 6/4/13  
Submitted in PAWS Committee  
Council File No: 12-1147  
Item No.: 10  
Deputy: Adam R. Lid

June 3, 2013

Councilman Dennis Zine  
Personnel & Animal Welfare Committee  
Los Angeles City Council

Honorable Councilmember:

**RE: ITEM #10 – FILE NO. 12-1147 SPAY/NEUTER ORDINANCE AMENDMENTS (MC 53.15.2)  
ADD: DISALLOW EXEMPTION "F" FOR PIT BULLS AND CHIHUAHUAS**

The subject file proposes to revise provisions of the Los Angeles spay/neuter ordinance, including limiting/redefining certain exemptions which allow circumvention of the requirement to alter any dog/cat in the city. However, it does not address exemption "F," which provides that a dog owner can avoid the requirement to spay/neuter a dog by merely paying for a breeder's permit in addition to an unaltered license. This provision has resulted in more than 1,000 breeding permits being issued in this city, merely to allow intact dogs.

Commissioner Kathleen Riordan proposed that exemption "F" be disallowed for Pit Bulls and Chihuahuas, the two breeds which overfill city shelter kennels and result in a disproportionate percentage of euthanasias for these animals because of the overpopulation and high breeding rate.

The L.A. Animal Services Report dated May 23, 2013, and credited to Jim Bickhart of the Mayor's office by Brenda Barnette, discourages "removing spay neuter exemptions for certain types of dogs" and alludes to an allegation that breed-specific regulations addressing breeding in other states and jurisdictions have been unsuccessful. This is untrue and based on a cursory survey, apparently by an individual(s) with bias against considering spay/neuter measures to address only high-impound breeds.

Mr. Bickhart's absence of experience and/or expertise in animal control has resulted in this report, either purposely or from lack of understanding of the issue, confusing breed-specific spay/neuter measures—which have been highly successful—with banning a breed. Ms. Barnette, a former breeder (also with no animal control experience) who has openly discouraged any BSL, supported this incomplete and factually inaccurate report. At the May 28 Commission meeting, Commissioners were advised both in the report and by Ms. Barnette that it is "not necessary" to remove the exemption for high-impound breeds.

Yet the next item on the Commission agenda was a plan to develop targeted programs to spay/neuter Pit Bulls as an admitted problem and an acknowledgement of the fact that, although thousands of dollars have been made available to certain Council areas where Pit Bulls, in particular, pose a problem, only 23 Pit Bull owners participated.

Commissioner Riordan accurately pointed out that at there is no reason to allow—and actually encourage—more Pit Bulls or Chihuahauas by exempting them under Subsection b2, "F." Only those Pit Bulls and Chihuahuas that are in breed clubs and involved in show activities should be exempted from sterilization, and this provision is already in the code. The curtailment of continued overpopulation of these breed needs to be addressed NOW and is supported by many in the rescue/humane community.

The huge burden of killing so many dogs of these two breeds disproportionately, and the expense of maintaining them in the shelters for prolonged periods of time because they are not adopted, results in a lack of space for other potentially adoptable animals. This is an impediment to your "No Kill" goal.

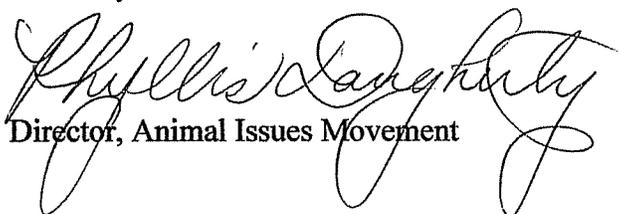
Spay/neuter mandate for specific breeds is allowable under State law (SB 821), because it is not based on declaring a breed dangerous, but on the fact that these breeds alone constitute far more than 50% of the animals that end up in shelters and are not adopted—therefore, are euthanized. Incentives only work when they are supported by strong legislative measures that have proven effectiveness.

Removing exemptions for Pits and Chi's to circumvent spay/neuter would be a humane measure that addresses a specific problem. It is NOT and should not be confused with a breed ban, as Mr. Bickhart states in his report. It seems this is an effort to distort a potential solution to Pit Bull and Chihuahua overpopulation and dissuade the Commission and your Committee from considering making this amendment.

The current Mayor's office should not stop the consideration of this amendment to the ordinance—at a minimum for a two-year period to measure impact on shelter overpopulation and euthanasia.

Please order an immediate unbiased and impartial study on the potential benefits to animals and those who love them and the taxpayers of this city. Exemption "F" should NOT be an allowable exemption for leaving Pit Bulls and Chihuahuas in tact and circumventing the intent of the City's law. Providing owners of these dogs with a breeding permit is not the answer to the overpopulation problem.

Sincerely,

  
Director, Animal Issues Movement