

Death by a Thousand Cuts

by Jim Scharnberg and Rob Sexton

I am master of the Skycastle French Hounds, a pack of Petits Bassets Griffons Vendéens hunting in Chester County, Pennsylvania. We are the senior basset pack in the United States, started in 1948 and now in our sixtieth season. We have had a kennel license all this time, and have always had excellent inspection results. In February 2007, I was shocked to see the proposed new dog law regulations put forward by the PA Department of Agriculture. If adopted, they would have made it impossible for us to operate as a hunt, and criminalized our kennel operations. They were supposed to be used to close down the 2% number of abusive kennels, labeled “puppy mills” by the media, in the commercial breeding group. I, along with many others, was told that, since we had less than 26 dogs, the regulations would not apply. But we do have a license, as required by our township and most in the Commonwealth, and the regulations clearly stated that they would apply to all licensed kennels. I joined the USSA Sporting Dog Defense Coalition and went to work. Speaking as an advertising and marketing consultant and AD/copywriter, I can say that the anti hunting media propaganda is terrific, superbly targeted and uses dramatic and graphic issues to hide its real purpose. ***We need to get the word out immediately to show what these people are really trying to do and who they are.***

The animal rights lobby uses legitimate crusades—like the abolishment of puppy mills—as a smokescreen to kill hunting

The largest and most powerful of the animal rights organizations is the Humane Society of the United States (HSUS). Over the past ten years, HSUS has championed a barrage of legislation allegedly aimed at protecting canines. Their strategy is to capitalize on America’s nearly universal adoration for dogs to introduce legislation that would eliminate sporting kennels and legitimate hobby breeders. When the public is told about the abuses the “antis” claim to be targeting, it responds with understandable outrage. It makes for good television on news programs. These include bills banning animal fighting, beefing up animal cruelty statutes, mandatory spay and neuter legislation and efforts to eliminate so called “puppy mills.” By the time sportsmen find out about such proposals, supporters have built up momentum. Many elected officials endorse these measures without understanding the full impact. For opponents (sportsmen), it is like sailing into the perfect storm. It comes as a terrible surprise to many dog lovers to learn that sportsmen across America have opposed all of these efforts. Why? Because the devil, as they say, is in the details.

The U.S. Sportsmen’s Alliance: Sportsmen’s Answer to the Animal Rights Lobby

The United States Sportsmen’s Alliance (USSA) is a national non-profit organization that tracks and analyzes legislation across the country that impacts American sportsmen. USSA’s staff of legislative professionals discovered that every one of these legislative proposals contained language that would negatively impact a dog owner’s or kennel operator’s ability to function. These proposals criminalize commonly accepted hunting practices, excessively drive up the cost of operating a kennel, prevent hunters from breeding sporting dogs, overburden breeders with a deluge of paperwork, and more.

Bills that were supposed to stamp out animal fighting defined the crime as training one animal to pursue, attack, kill or attempt to do any of these things to another animal. This makes hunting with dogs and participating in field trials the same as animal fighting.

Bills strengthening animal cruelty statutes included language allowing search and seizures without warrants. The bills made dog owners pay the cost of housing their confiscated dogs while they were being prosecuted even if they were not convicted! They prohibited tethering unless the owner was present at all times.

Legislation purported to address too many strays actually mandates spaying and neutering of all dogs, including hunting dogs, show dogs, and dogs used in field trials.

And efforts to crack down on “puppy mills,” which are described as large abusive commercial dog breeding facilities, also impact private kennels such as foxhound and beagle kennels. Requirements in these bills result in thousands of dollars in cost-prohibitive upgrades that are wholly unnecessary. Restrictions criminalize private kennel operators for the smallest infractions. Record-keeping requirements in these proposals are more extensive than those for child day care centers. It is a “death by a thousand cuts.”

Such was the case in Pennsylvania in 2006. Animal rights groups successfully convinced the media to expose deplorable conditions in some abusive dog breeding facilities in Southeast Pennsylvania. Although the coverage only centered around a few licensed kennels in one county, the media labeled Pennsylvania “The Puppy Mill Capitol of the East.”

The story caught the eye of the state’s most powerful politician, Governor Ed Rendell, who was running for re-election against former Pittsburgh Steeler legend, Lynn Swann. Rendell fired the PA Dog Law Advisory Board. He appointed passionate kennel reformers to replace the old board. He committed to “remove the stain of ‘puppy mills’ from the good name of the Commonwealth.” He then charged his new staff at the Pennsylvania Department of Agriculture with the task of creating regulations to address the problem.

Dog fanciers, shelter operators, dog rescue volunteers, and even sporting dog owners all supported the cause...until they read the regulations. No dog interests had been consulted. Instead, regulators had worked with dog activists affiliated with the American Society for the Prevention of Cruelty to Animals.

The new regulations were the most restrictive, over-specific, burdensome, cost prohibitive set of animal care proposals seen anywhere in the United States, and for all licensed kennels. The regulations dictated how all kennels must be constructed. They specified how many air exchanges must occur in a kennel each hour. They set temperature requirements for the air and the concrete floors, and light diffusion requirements throughout. Rust on a kennel fence was a violation of the law. The regulations required written daily exercise plans for every dog in a licensed kennel. Hunting and field trials did not count toward the requirement. In total, the regulations were devastating to all licensed kennel operators.

The Masters of Foxhounds Association (MFHA) contacted the USSA for help. They have worked successfully to defeat animal rights sponsored legislation across the country. USSA formed the Sporting Dog Defense Coalition (SDDC) over ten years ago because so many anti-hunting attacks have targeted hunting with dogs. Here they joined with beaglers, basseters and other organizations. Opposition came from the American Kennel Club and its state affiliate, the Farm Bureau, rescue kennel officials and animal shelter operators, and even university research kennels. It was clear that the Department of Agriculture had overreached, but the Department told USSA staff and sporting dog allies that the proposal would go forward.

Just a month later, a bipartisan panel charged with reviewing all pending state regulations reported that not a single licensed kennel could comply, but the governor and his Department of Agriculture were committed to seeing the proposal approved.

Newspapers and television news programs saluted the governor for his efforts, and

detractors were labeled as dog abusers.

Sportsmen's Plan to Defeat the Animal Rights Proposal

USSA, members of the Sporting Dog Defense Coalition, MFHA, and other hunting organizations launched a grassroots recruiting drive to educate sportsmen and sporting dog kennels owners about the impact of the regulations. The coalition grew every week.

The sporting dog groups concentrated on generating grassroots pressure on the Department of Agriculture and the governor from three distinct groups of people. 1) Thousands of us sportsmen contacted the governor directly expressing opposition. 2) We sportsmen swamped the offices of legislators and asked them to tell the governor that they were opposed to or concerned about the regulations. 3) USSA and coalition leaders traveled the state telling the sportsmen's message to every newspaper outlet that would listen. The media tour resulted in a flood of positive coverage.

By the fall of 2007, the Department of Agriculture and the governor's staff were trying to defuse the controversy. Sportsmen and other kennels operators were clear that any crackdown on licensed kennels had to be confined to abusive commercial breeders that had been the subject of the original exposé on "puppy mills." Sportsmen also demanded that the issue be decided by the legislature so that the public would have a greater opportunity to make sure that the regulations were done in a balanced manner.

The Battle in Pennsylvania Shifts to the Legislature

In December, the state finally agreed to craft new legislation. It was an improvement over the terrible regulatory proposal, but if passed as introduced, House Bill 2525 would have given the Pennsylvania Department of Agriculture uncontrolled enforcement power. It would set its own fees for licensed kennels; make its own violation regulations; decide who is in violation; and decide what the penalties would be for a violation. In essence the department would be lawmaker, judge, jury and executioner over all licensed dog kennels. The potential for enforcement abuse was limitless. Worse, the bill allowed for searches of private property even if there was no evidence that a crime had been committed. It even would have allowed local townships and cities to eliminate kennels through zoning and local ordinances.

The HSUS and ASPCA swung into full attack mode flooding legislators with telephone calls in support of HB 2525. Oprah Winfrey did two shows focusing on Pennsylvania's "puppy mills." She put a call to action on the screen for her viewers to encourage calls to Pennsylvania legislators to pressure them into passing the bill.

We sportsmen counterattacked. USSA, its Sporting Dog Defense Coalition, and partners brought hundreds of private kennel operators to the capitol to personally meet with their own representatives. USSA crafted twenty-six amendments to fix the bill. USSA and local sporting dog leaders aggressively sold the proposed fix to every legislator who would listen. Many representatives were willing to put a hold on the bill until private kennel concerns could be addressed, but made it clear that they were going to pass a bill. By the beginning of June it became questionable whether HB 2525 would pass unless the concerns of sportsmen were addressed. At that point the governor's staff and key legislators agreed to twenty-three of USSA's twenty-six amendments, including the search warrant provision. In exchange, the coalition agreed to remove its opposition to House Bill 2525. All of the sportsmen's top priority amendments were addressed. Currently the bill is waiting for a vote on the House floor.

USSA and its allies will have to remain vigilant throughout 2008 to ensure that

amendments are not added to the bill that would jeopardize the future of sporting dog kennels.

The Animals Rights Strategy: Spreading Our Defenses Thin

As a Pennsylvanian, I know first-hand that this is surely the most insidious attack on sporting dog enthusiasts ever conceived by the anti-hunting lobby. But we are not alone. What has been developed here by the animal rights lobby is being used across the country. Puppy mill bills are being introduced in Georgia, Ohio, Virginia, and Wisconsin as well. California legislators are just one vote away from a mandatory spay and neuter law. Similar local ordinances have cropped up in Los Angeles, Palm Beach and even Dallas.

The anti's goal is obvious. Introduce enough of these kinds of measures, and surely some of them will pass. The anti's know that the United States Sportsmen's Alliance (USSA) is not a giant organization. They are relying on the fact that USSA and its allies will not be able to repulse multiple attacks.

So far, their campaign has failed. USSA, along with the Masters of Foxhounds Association (MFHA) and our state and local beagle, basset and other dog organizations continue to answer the bell. Unfortunately, the pace cannot continue without help from more sporting dog and other purebred owners. To date, the campaign has cost more than two hundred thousand dollars. Funds are critically needed to hire good lobbyists and attorneys, activate grassroots, and conduct effective advertising. USSA needs help. Volunteers are needed to spread the word and broaden our coalition.

Sporting dog organizations have long supported USSA. It is a lean effective fighting force that has empowered hunters to defend themselves. The campaign in Pennsylvania is proof of what USSA can do with strong local support. Without help, however, USSA cannot hope to defeat the animal rights lobby and its crusade to destroy sporting dog kennels. Please consider making a contribution to the U.S. Sportsmen's Alliance today. Volunteers are needed to spread the word and broaden our coalition. The campaign in Pennsylvania is proof of what USSA can do with strong local support. Without help, however, USSA cannot hope to defeat the animal rights lobby and its crusade to destroy sporting dog and purebred dog breeder kennels. Visit the USSA web site, ussportsmen.org, to get updates on anti's legislation across the United States and see what is happening in your state. And plead with all purebred dog breeder clubs and the AKC to help volunteer in this critical battle.

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