

the Animals' ADVOCATE

Winter 2003
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INSIDE:

Hunters
Target
Endangered
Species

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A NEWSLETTER FOR SUPPORTERS OF THE ANIMAL LEGAL DEFENSE FUND

You *Can* Fight City Hall

*ALDF joins battle
against cat slaughter*

Not many people hate dogs. Not many people hate horses. Not many people hate chickens or goldfish. Yet for some inexplicable reason, certain people hate cats.

Just why is a mystery. But one thing's clear: Cat haters have a new capital city — Akron, Ohio.

In 2002, the Akron city council declared war on cats by passing an ordinance that made any feline caught outdoors illegal — and subject to summary execution. At the time, councilman Michael Williams told his fellow council members he'd "sleep fine" if 20,000 cats died as a result. Sadly, it looks like Williams is getting his wish. More than 2,000 cats and kittens have been killed since the ordinance was passed, and dozens more are dying each week.

"What's happening in Akron is both a tragedy and a travesty," says ALDF Executive Director Joyce Tischler. "There are more compassionate — and effective — ways to control the feral and stray cat populations. But rather than explore these options, Akron's leaders have gone on an indiscriminate killing spree."

Fortunately, animal advocates in Akron are fighting back — and ALDF's backing them up.

With the support of an ALDF grant, attorney (and longtime ALDF member) J. Jeffrey Holland has filed suit on behalf of six Akron residents with cats. Holland and his clients say the city left them with no other choice.

"We did everything we could to seek compromise and common ground," Holland says, pointing out that local activists presented the city with a



variety of alternative plans that would use trap-neuter-return strategies to reduce the number of free-roaming cats. Though these models were based on successful programs in other Ohio towns, the council ignored them, passing instead an ordinance that essentially sentences outdoor cats to death.

"The council wasn't interested in alternatives," says Deanne Christman-Resch, co-chair of Citizens for Humane Animal Practices (CHAP), which was formed to fight the ordinance. "They basically wanted to round up cats because they consider them a nuisance. They claimed cats are a big health concern because of rabies, but that's bogus. There hasn't been a case of cat or dog

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Letter from the **PRESIDENT**



The Difference Between Cuteness and Cruelty

I admit it. I'm a *Bambi* lover.

To be more precise, I'm a person who loves the classic Disney cartoon *Bambi*. It's a great film with a great message for kids.

But I'm not a "bambi lover." That's what hunters like to call animal rights activists. As they see it, we only care about animals if they're fuzzy and adorable. We're sentimentalists, they're implying — soft-hearted, soft-headed people who can't face the harsh realities of life.

Of course, that's not true. There aren't many realities harsher than what goes on in research labs and factory farms, and we're the ones facing those realities — and trying to do something about them.

But the hunters have stumbled upon a good point, albeit unintentionally. People shouldn't oppose animal abuse because animals are cute. Abuse needs to stop because animals are thinking, feeling beings capable of experiencing fear and pain.

"Cute," in fact, can be a trap. It can blind people to cruelty lurking just beneath the surface. Many Americans think the chimpanzees they see on TV and in the movies are "cute." They think circus animals are "cute." Some are so charmed by "cute" baby animals such as lion cubs that they bring them into their homes, even when those babies will eventually grow into not-quite-so-cute adults. This is a very big — and potentially very dangerous — mistake.

Animals are wild creatures with a will of their own, not playthings for our amusement. This past fall, I saw two news stories that reminded me how easy it is for people to forget that fact. The first was about a New York City man who kept a tiger and an alligator in his apartment. These exotic "pets" were eventually discovered after the tiger attacked the man and nearly killed him. The second story also involved a tiger attack: the one that almost took the life of Las Vegas magician Roy Horn of the duo "Siegfried and Roy." After spending years forcing wild cats to act against their nature by parading in front of cheering crowds and jumping through rings of fire, Horn was caught off guard when one of his "performers" finally did what comes naturally for a tiger under stress — lash out.

What happened to Mr. Horn is tragic. Unfortunately, it's just one tragedy among the hundreds you can find in the world of "show business" every day. But while Horn's misfortune was shockingly public, what's done to performing animals is kept strictly behind the scenes.

Until now. This fall, the Chimpanzee Collaboratory released a report exposing the grim fate awaiting apes who are purchased and trained for the entertainment industry. Called "Serving a Life Sentence for Your Viewing Pleasure: The Case for Ending the Use of Great Apes in Film and Television," the report should change the way many Americans look at the animals they see in movies, TV shows and commercials. (To read more about the report and its disturbing findings, turn to page five.)

I'm proud that ALDF helped found the Chimpanzee Collaboratory — proud that we've helped open people's eyes to the sad reality behind the Hollywood glitz.

Don't get me wrong. I do think animals are cute.

But that doesn't mean I can't recognize the difference between cuteness and cruelty.

For the animals,

Steve Ann Chambers

For the **RECORD**

Council member #1:

"I don't think you can kill those cats. We'll have 20,000 cats this year. Put them to death [and] we're in trouble."

Council member #2:

"I'll sleep fine."
[Laughter]

Council member #3:

"The problem is that people just let their cats run all over the place and they let them outside. We just want [the law] to be the same as [for] a dog."

Council member #4:

"What ya' doin'?"
'I'm just walkin' my cat.'"
[Laughter]

Council member #5:

"How you gonna put a leash on a cat?"

Recorded exchanges at closed-door meetings of the Akron city council



“It’s a betrayal of everything the Endangered Species Act stands for.”

ALDF Protests Government Proposal

On behalf of itself and seven other organizations, ALDF has submitted comments to the U.S. Fish and Wildlife Service (FWS) protesting proposed policy changes that would strip endangered species of government protection. FWS wants to allow the commercial exploitation of endangered species in other countries, saying the only way to help these animals is to make them profitable.

If enacted, the new policy would allow American hunters to import “trophies” (i.e., body parts) from endangered animals they’ve killed abroad; allow circuses and zoos to capture rare Asian elephants to put on display in the U.S.; allow the leather industry to import the skins of the endangered Morelet’s crocodile; and even allow partial resumption of the trade in elephant ivory.


“The Endangered Species Act was created because the free market simply doesn’t protect endangered species. Strong government action was needed,” says ALDF President Steve Ann Chambers. “Now FWS is saying that to save these animals we have to allow people to make money from their capture and killing. That’s not just illogical, it’s a betrayal of everything the Endangered Species Act stands for.”

In its comments on the proposed changes, ALDF argued that the new policy would encour-

age poaching, thin already dwindling animal populations and condemn thousands of rare animals to death or captivity, all while producing only nominal, difficult-to-track funds for conservation programs.

“What the government is proposing would be, quite simply, a disaster for endangered animals around the world,” says Chambers. “I have no doubt that it would make it much, much harder for already struggling species to survive.”

ALDF submitted its comments to FWS on behalf of the Chimpanzee Collaboratory, Ape Alliance North America, the Center for Captive Chimpanzee Care, the Doris Day Animal League, Friends of Washoe, the Great Ape Project and the Jane Goodall Institute. FWS is now reviewing the comments it received from ALDF and other interested parties and will announce in the near future whether the policy changes will be enacted.

You can voice your opposition to the proposed changes by sending an e-mail to ManagementAuthority@fws.gov or calling the FWS at 800-344-WILD. You can also write your representatives in Congress to let them know you support the continued protection of rare animals through the vigorous enforcement of the Endangered Species Act. 

Fight City Hall

continued from front page

“There’s a better solution than just picking up cats and killing them.”

rabies in this county for decades.”

It’s not just the city’s motives that have been called into question. So have its methods. The city hands out cat-traps to anyone who asks for them. As long as a trap is “active” — i.e., capturing cats on a regular basis — the individual is allowed to keep it. “The city shouldn’t encourage any person to trap cats,” says Holland. “Abuse and neglect are inevitable.”

Not just inevitable — already all too common, according to Christman-Resch.

“We know that people are trapping cats to get back at neighbors because of personal feuds,” she says. “People who are in organized dog-fighting are trapping cats because they can use them to train their dogs. We’ve got animal dealers here who sell cats to research. A lot of these animals are never even making it to the pound.”

Even if a cat is actually picked up by the city, there’s not much hope he or she will survive long. Under the ordinance, cats are supposed to be held for three days before being killed, thus giving their guardians a chance (albeit an exceedingly short-lived one) to claim them. But CHAP has found case after case in which captured cats were put to death immediately because they were deemed “sick,” “flea-infested” or “feral.”

“Eighty percent are killed the same day they’re brought in,” Christman-Resch says. “More than 2,500 cats have been trapped since this started, and of those only three or four dozen went home with their guardians. And whenever anyone does actually manage to rescue a cat, they’re hit with all kinds of fees and fines.”

Of course, anyone who cares for a cat would be more than willing to pay a few fines in order to get their friend back. Sadly, however, by the time they find out their cat’s been captured, it’s probably too late.

That’s exactly what happened to Sue Richardson. She befriended a feral kitten last year, feeding the young cat after she was abandoned in Richardson’s neighborhood.

“I couldn’t bring her inside. I tried once, but my other cats had a fit and so did my neighbor downstairs,” says Richardson, one of the plaintiffs in the lawsuit filed by Holland. “Still, I was trying to work with her to domesticate her. She got comfortable enough to sit with me in the yard in the evenings. Everyone in the neighborhood knew she was mine.”

Unfortunately, being outside made the cat — whom Richardson had named “Kitty” — fair game. Unbeknownst to Richardson, a neighbor set out cat traps, and eventually Kitty disappeared. When Richardson checked with the city, she found that a cat matching Kitty’s description had been brought to the pound and killed the same day.

“She wasn’t a danger. She wasn’t hurting anyone or damaging anything,” says Richardson. “The city had no right to do what it did. Granted, she wasn’t inside my apartment, but she was no less my cat.”

That’s how Rachel Neuwirth felt about Mikey, the indoor/outdoor cat she lost to the city’s traps. Mikey was neutered, vaccinated and wearing a collar when he was captured. Neuwirth found his collar tossed in the street near her house. Mikey she never saw again: A cat matching his description was killed due to an unexplained “injury” mentioned in the pound’s logbook.

“I’m really angry with the city,” says Neuwirth, who’s also a plaintiff in the suit against the city. “There’s definitely a better solution than just picking up cats and killing them. It’s cruel. It’s not the cats’ fault people are too ignorant to spay and neuter their animals.”

So who’s fault is it? Certainly the city has done nothing to deal with the problem humanely — it doesn’t even have a spay/neuter program despite studies (presented to the city council by CHAP) that demonstrate that such efforts are cheaper and more cost-effective than killing.

“What does it say about a community’s government when both public sentiment and hard facts are ignored and numerous offers of expertise and assistance are rebuffed?” asks Becky Robinson, national director of Alley Cat Allies, which has been working with CHAP to fight the ordinance. “In the face of something so vile, everyone — not just the people of Akron — must stand up and demand that it stop.”

To do just that, you can send a letter to the Akron city council and let its members know you don’t approve of their actions. The address is:

Council Office
166 South High Street, Room 301
Akron, OH 44308

“You don’t need to be a lawyer to appreciate the time and resources it takes to fight city hall,” says Holland. “The city will use the full weight of its resources to win. We need everyone’s help today.”



CAT PHOTOS COURTESY OF ALLEY CAT ALLIES

That's *Not* Entertainment

*Memo to Hollywood:
Chimpanzees aren't
"performers" — they're
wild animals, and that's
how they should be treated*

Crueity to animals is no laughing matter. Yet every day millions of television viewers witness animal cruelty...and think it's funny.

The sad truth of it is, these viewers simply don't know that every time they see a chimpanzee acting "human" on TV — by wearing clothes, riding a tricycle or pretending to speak or smile — they're actually viewing the product of a cruel cycle of exploitation, intimidation and abuse.

Now ALDF and its allies have set out to break that cycle by releasing a shocking new report that exposes the cruel "training" that's necessary to turn wild chimpanzees into cringing show biz "performers." Titled "Serving a Life Sentence for Your Viewing Pleasure: The Case for Ending the Use of Great Apes in Film and Television," the report was created by the Chimpanzee Collaboratory, an alliance of attorneys, scientists and public policy experts committed to helping chimps. Founded by ALDF and a coalition of likeminded organizations, the Collaboratory announced the release of the report at a press conference this fall.

At the press conference, world-renowned chimpanzee expert Dr. Jane Goodall called on directors, writers, actors and other show business professionals to boycott productions that use chimpanzee performers. Among those attending the event were actresses Frances Fisher (*Unforgiven*, *Titanic*) and Lucinda Jenney (*The Mothman Prophecies*, *S.W.A.T.*) Sitcom star Wendie Malick (*Just Shoot Me*) rose spontaneously to describe her unsettling encounters with Hollywood chimp trainers. Chimpanzee Collaboratory Research Consultant Sarah Baeckler, an expert in primate behavior, also shared her experiences working with chimpanzee "actors."


"If the chimpanzees try to run away from a trainer, they are beaten," said Baeckler, who researched the treatment of show business primates by spending a year as a volunteer at a chimp-training compound. "If they bite someone, they are beaten. If they don't pay attention, they are beaten. Sometimes they are beaten without any provocation or for things that are completely out of their control."

According to Baeckler, she witnessed trainers punching baby chimpanzees and was told to kick the animals in the face because they were "sturdy" and supposedly couldn't be hurt.

The Collaboratory's 24-page report exhaustively documents such abuses, detailing how highly intelligent primates are transformed into fearful, cowering props for use in the entertainment industry. Baby chimpanzees are torn from their mothers years before they would even be weaned in the wild. "Trained" through a harsh regimen of regular beatings, the chimps begin performing around age 3 and are retired — i.e. discarded — when they grow too large to control through physical intimidation, usually around age 8.

Once their performing days are over, the animals often end up in the hands of run-down roadside tourist attractions or unscrupulous breeders. Never properly socialized with other chimps, they usually spend the rest of their lives in isolation and squalor. (To read the report in its entirety, go to the Chimpanzee Collaboratory's website: www.chimpcollaboratory.org.)

"If people knew about the abuses performing apes are subjected to, they'd be sickened every time they see a chimp on TV, not amused," says ALDF President Steve Ann Chambers. "That's why this report is so important. It can help educate the public while putting pressure on Hollywood to stop the abuse. It might take years, but with enough support I'm confident we can eventually bring down the curtain on chimpanzee exploitation in the entertainment industry."

The other organizations in the Chimpanzee Collaboratory are the Jane Goodall Institute, the Ape Alliance of North America, the Center for Captive Chimpanzee Care, the Center for the Expansion of Fundamental Rights, the Doris Day Animal Foundation, the Friends of Washoe and the Great Ape Project. 



**Jane Goodall
at the Chimpanzee
Collaboratory
press conference**

**A former "performing"
chimp languishes in
"retirement"**



PHOTO BY CHARLES SPANO

BRIEFS...


Lawsuit to Save Sheep Dismissed

A lawsuit aimed at keeping a rare Asian sheep out of the gunsights of American hunters has been dismissed. The world's largest sheep species, argali sheep grow huge horns that are much prized by "big game" hunters. The suit, brought by ALDF and other animal protection groups, challenged the U.S. Fish and Wildlife Service's decision to continue issuing permits for the importation of "trophies" from argali sheep killed in Mongolia, Tajikistan and Kyrgyzstan. ALDF and its allies also sought to force the Fish and

Wildlife Service to alter its decision not to designate the sheep as "endangered."

(Argali sheep are classified as "endangered" throughout most of their range. They're designated as "threatened," a status that offers far less protection, only in Mongolia, Tajikistan and Kyrgyzstan.)


U.S. District Judge Gladys Kessler found that ALDF and the other plaintiffs lacked standing because, in her view, they had not adequately demonstrated how they were injured by the Fish and Wildlife Service's actions (even though the plaintiffs included Mongolian scientists concerned about argali conservation). With this ruling, the argali sheep in Mongolia, Tajikistan and Kyrgyzstan will continue to be hunted even though their range and numbers are dwindling.

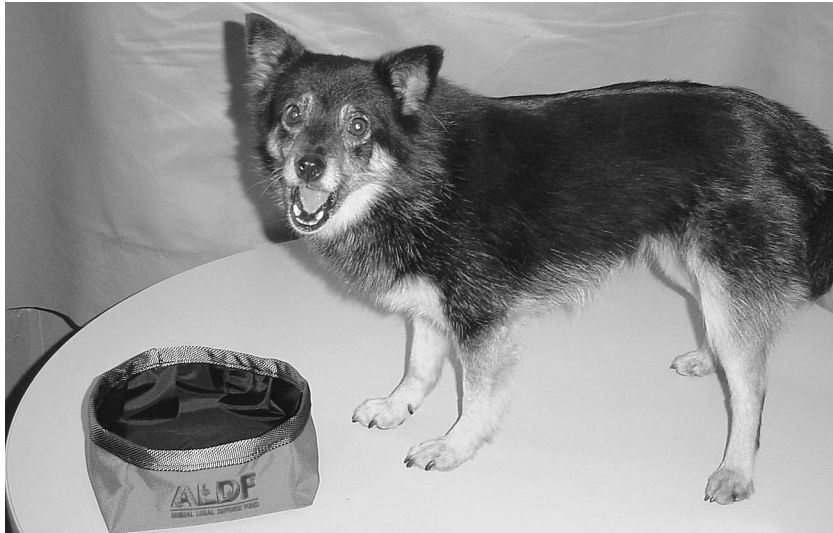
"Our government should not be setting policies that encourage the sport-hunting of such a rare and special species," says ALDF Executive Director Joyce Tischler. "Sadly, thanks to this decision, those policies will continue for the time being — and argali sheep will move one step closer to extinction. That's why we're going to give serious consideration to an appeal. Too many animals are being stripped of their protection under the Endangered Species Act. That's got to stop." 

Online Auction Supports Fight Against Cruelty

By auctioning off collectibles donated by its members, volunteers and employees, ALDF has raised hundreds of dollars for its ongoing legal work on behalf of abused animals. The auctions, which are conducted online via the popular website eBay, were launched late this summer. Among the items donated and sold so far have been paintings, autographs, books, magazines, photos, dolls, gift certificates, skis and rollerblades. To see what's available on the auction site now, go to <http://members.ebay.com/aboutme/aldf1/>.

ALDF is still accepting items from donors who want to show their support for ALDF's animal protection efforts. Items that will be easy to store and ship would be preferred. Of course, ALDF will not sell any item that was produced from the exploitation of an animal (such as a fur coat). Donors will pay for shipping to ALDF, while winning bidders will pay for shipping from ALDF when the auction is complete.

Donors will receive a letter of thanks from ALDF with a description of the item donated. ALDF is a 501(c)(3) nonprofit charitable organization, so all donations are 100 percent tax deductible. If you would like to donate an item for the auction, send an e-mail to auction@aldf.org. Funds raised by the auctions go directly to supporting ALDF's work on behalf of animals. 




ALDF's Website Launches "E-Store"

ALDF has added a comprehensive "e-store" section to its website. The e-store gives the organization's supporters the opportunity to purchase ALDF-related merchandise with just a few clicks of the mouse.



ALDF hats, shirts, caps, organizers and posters are currently available. Naturally, ALDF didn't want to overlook people's animal companions, so dog and cat bowls emblazoned with the ALDF logo (like the portable bowl pictured above) are also available. And thanks to a partnership with several talented artists specializing in depictions of the natural world, stunning full-

color paintings are also available on the site. One of the artists, Anne-Marie de Rivera, will even paint a portrait of your companion animal — with a portion of the proceeds going to support ALDF's work to protect animals and establish their legal rights.

To see everything the e-store has to offer, go to www.aldf.org and click on "Shop." 



Big wins are important in the long struggle against animal cruelty. But one shouldn't overlook the little steps that keep us moving down the road to justice. One such step was recently taken in Spokane, Washington. It's a sad story, but one that reminds us how important it is to stay on that road.

Earlier this year, two 17-year-old boys in Spokane set fire to a neighborhood cat named Max. This, sadly, is nothing new. Such random acts of brutality have been an all-too-common occurrence since the dawn of human civilization. But what the teenagers didn't bargain for was a newer attitude — one that finds cruelty to animals unacceptable.

A group of friends out for a stroll saw the cat and rushed to help him. They also blocked the perpetrators' pickup truck, forcing the boys to flee on foot. These good Samaritans then reported the crime to the police, who took quick action, tracking down the teenagers from the truck's license plate. Within hours, the teens had been arrested and charged with felony animal cruelty and second-degree reckless burning.

Not long after that, an ALDF attorney member familiar with the Animal Legal Defense Fund's reputation for assisting prosecutors contacted ALDF's Anti-Cruelty Division. Once alerted, the Anti-Cruelty team stepped in to offer expert assistance to the local D.A., who was serious about pursuing the case. ALDF helped out by researching relevant legal precedents, discussing prosecution strategy and providing a report culled from the organization's animal cruelty database detailing cat burning cases from around the country.


Unfortunately, it was too late to save Max — the burns he suffered were too severe, and he had to be euthanized. But it wasn't too late to ensure that Max's killers would be prosecuted.

For their crime, the boys were sentenced to one year of probation, a fine, 150 hours of community service and random drug checks. While that sentence is disappointingly lenient, it's important to remember how the case might have been handled twenty-five years ago, before ALDF was founded. Back then, animal abuse was often dismissed with a casual "boys will be boys" shrug. What's more, even if authorities chose to take the case seriously, there wouldn't be much they could do: Washington — and most other states — had no felony animal cruelty law. The sad reality was that most animal abuse cases weren't even investigated, and the few that were rarely were prosecuted.

Today, that "boys will be boys" attitude still exists in some jurisdictions, but the laws are

stronger and the enforcement more consistent. In Spokane, two animal abusers were apprehended, prosecuted and sentenced. That's a start. Now the laws need to be made even stronger and the sentences that are handed out far more serious.

And it's going to happen. That's what those good Samaritans in Spokane prove. That's what the prosecutor's handling of the case proves. Animal abuse still happens — and will never entirely stop — but the will and the means to fight it are growing more powerful all the time.

"Sadly, Max won't be the last cat to be victimized by mindless cruelty. Yet next time, hopefully, the perpetrators won't get off with a slap on the wrist," says Pamela Frasch, director of ALDF's Anti-Cruelty Division. "When that happens, it may not make headlines around the globe. But it will be another step toward a safer world for animals." 



No Felony Charges in Truck-Dragging of Dog


A Wisconsin man has been arrested for allegedly tying his dog to the back of a truck and dragging the dog home after the animal ran away. A witness stopped the man when she saw the bleeding, vomiting dog resisting the dragging.

The dog, Buster, was seized and treated for injuries. Addison, Wis., resident Gary Klink, 42, was initially charged with felony animal cruelty. But later, at a court hearing on October 27, 2003, the judge reduced the charge to a misdemeanor, saying a felony charge would require the dog to be mutilated, disfigured or dead. The judge then returned Buster to the defendant.

A trial has been set for January on the misdemeanor charge. Reports in the media say Klink told police he was angry with Buster for running away from home.

If Klink is convicted, please write the judge to ask that he sentence the man to serve the maximum sentence — nine months in jail. You can also ask the judge to order Klink to forfeit Buster so he can be adopted into a caring home. The judge can also order that Klink be prohibited from possessing animals in the future.

The Honorable Andrew T. Gonring
Circuit Judge
Washington County Courthouse
432 E. Washington Street, Room 3024
West Bend, WI 53095

To thank Assistant District Attorney Holly Bunch, who brought the felony charge and tried to prevent Klink from regaining custody of Buster, send a letter to:
Holly Bunch
District Attorney's Office
432 E. Washington Street
West Bend, WI 53095 


the Animals' ADVOCATE

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ALDF Sponsors Animal Law Competition

Thanks to a \$10,000 grant from ALDF, tomorrow's animal advocates are being offered a unique new way to hone their skills. The grant will support a first-of-its-kind event at Harvard Law School next year: a moot court and closing argument competition with an animal law theme. Hosted by Harvard's Student Animal Legal Defense Fund chapter (in partnership with Lewis & Clark Law School's National Center for Animal Law), the competitions will be held February 27-29.

"Moot courts" give law students the chance to practice their skills arguing legal points before juries and judges. There has never been a national moot court competition with a focus on animal law. Teams from law schools nationwide will travel to Harvard's campus to compete, presenting lengthy oral arguments, comprehensive briefs and persuasive closing arguments related to timely animal law issues. Competition winners in several categories will be awarded cash prizes.

Registration for both the moot court and the closing argument competitions filled up quickly, with Student Animal Legal Defense Fund chap-

ters at 10 schools signing up teams. Participants also registered from schools that don't yet have SALDF chapters. Among the schools sending students are Harvard, Lewis & Clark Law School, the Northeastern University School of Law, the Vermont School of Law and the University of Nebraska College of Law.

"It's going to be thrilling to see so many young people with a passion for animal law coming together from across the country," says ALDF Executive Director Joyce Tischler. "These are the attorneys who will be pushing animal law forward over the next few decades. I'm truly proud that ALDF could play a role in bringing them together and helping them become the best animal advocates they can be."

Even though all the competition slots were filled as the newsletter went to press, slots for alternate teams were still open. More information on registration can be found online at <http://www.lclark.edu/org/ncal/mootcourt.html> or by writing to:

The National Center for Animal Law
10015 SW Terwilliger Blvd.
Portland, OR 97219

