

SB414

Measure Title: RELATING TO COMMERCIAL DOG BREEDERS.

Report Title: Animal Cruelty; Dog Breeders; Licensing; Penalties; Counties

Description: Requires specified persons who own, control, or have custody or control of ten or more dogs over age four months with intact sexual organs to meet minimum standards of care to ensure the proper treatment and care of dogs and the dogs' offspring. Prohibits any person from owning or having custody of more than thirty dogs over age of one year with intact sexual organs. Requires specified persons to maintain specific records for each dog for at least three years following the death of the dog or a date on which the person permanently ceased to have possession or control of the dog. Prohibits certain types of dogs in the same enclosure. Establishes penalties. Requires the licensing of dog breeders; authorizes each county to develop license requirements and fees; establishes minimum standards of care; authorizes each county to pursue civil penalties for noncompliant dog breeders. Effective 07/01/50. (SD1)

Companion: [HB233](#)

Package: CCH Prosecutor

Current Referral: JDL, CPN/WAM

Introducer(s): KIM (Introduced by request of another party)

Sort by Date		Status Text
1/18/2013	S	Introduced.
1/22/2013	S	Passed First Reading.
1/22/2013	S	Referred to JDL, CPN.
1/25/2013	S	The committee(s) on JDL has scheduled a public hearing on 01-30-13 9:30AM in conference room 016.
1/29/2013	S	Re-Referred to JDL, CPN/WAM.
1/30/2013	S	The committee(s) on JDL recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in JDL were as follows: 5 Aye(s): Senator(s) Hee, Gabbard; Aye(s) with reservations: Senator(s) Shimabukuro, Ihara, Slom ; 0 No(es): none; and 0 Excused: none.
2/11/2013	S	Reported from JDL (Stand. Com. Rep. No. 179) with recommendation of passage on Second Reading, as amended (SD 1) and referral to CPN/WAM.
2/11/2013	S	Report adopted; Passed Second Reading, as amended (SD 1) and referred to CPN/WAM.
2/20/2013	S	The committee(s) on CPN/WAM will hold a public decision making on 02-26-13 9:45AM in conference room 229.
2/21/2013	S	The committee on CPN/WAM has rescheduled its decision making to 02-27-13 9:45AM in conference room 229.

TESTIMONY IN FAVOR OF **SENATE BILL 414, Senate Draft 1**
(SB 414, SD 1) Puppy Mill **2.22.13**

Nancie Caraway, Ph.D
First Lady State of Hawai'i

In light of recent court decisions which have blatantly disregarded Protections of dogs and puppies in favor of the very breeders who Mistreated the animals, it has become clear that the \$96 million Pet industry in the State of Hawaii (Hawaii Data Book) needs careful Monitoring and regulating. Investigations have revealed that not one commercial breeder in the State of Hawaii possesses the required federal permit. Without proper State regulation, we will see more of the horrific abuses that occurred in Waimanalo in 2011 with 153 dogs.

This important bill provides essential legal safeguards for helpless Animals by mandating licensing of commercial breeders and by and setting a uniform standard of treatment.

Without regulation, this lucrative industry causes harm not only to Animals, but to consumers as well who have no assurance that their Pets are healthy and have been raised in humane conditions.

Without our commitment to reducing animal suffering at the hands of Humans, we leave animals vulnerable to commodification for profit.
Mahalo.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 547-7400 • FAX: (808) 547-7515

KEITH M. KANESHIRO
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ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY

THE HONORABLE ROSALYN H. BAKER, CHAIR
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

THE HONORABLE DAVID Y. IGE, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawai'i

February 26, 2013

RE: S.B. 414, S.D. 1; RELATING TO COMMERCIAL DOG BREEDERS.

Chair Baker, Chair Ige, Vice-Chair Galuteria, Vice-Chair Kidani, members of the Senate Committee on Commerce & Consumer Protection, and members of the Senate Committee on Ways & Means, the Department of the Prosecuting Attorney of the City and County of Honolulu, submits the following testimony in strong support of S.B. 414, S.D. 1.

The purpose of this bill is to requiring licensing and minimum standards for large-scale dog breeders; to regulate the housing, care, handling, record-keeping and treatment of dogs by licensed breeders; and to prohibit unlicensed large-scale dog breeding. The bill allows each county to assess, implement and enforce its own licensing system, and establishes civil and criminal penalties for violations.

Given a recent case prosecuted by the Department, it is clear that large-scale dog breeders do exist in Hawaii, though the exact number of such breeders is difficult to determine under current laws. Unless formal complaints are made by neighbors or other interested individuals, law enforcement generally has little or no knowledge of how anyone treats the animals on their property, or even how many animals are kept on the property. By the time officials are alerted, the situation can be dire or beyond hope for the animals living there.

The Department strongly believes that animals, particular pet animals such as dogs, are entitled to a minimum standard of care from their owners, and further believes that the public is entitled to certain minimum expectations when they purchase a dog, which are often purchased for hundreds or even thousands of dollars each, and require a lifelong commitment of care.

While the maltreatment or neglect of one animal is bad enough, the problem is compounded exponentially when it affects dozens or even hundreds of dogs at a time, which can then produce multiple litters of puppies.

While the specific details or nuances of S.B. 414, S.D. 1, are certainly open to discussion and revision--including further input from individuals and/or organizations with dog care expertise--the Department strongly believes that the crux and purpose of this bill are important, and that passage of this bill would facilitate future oversight of large-scale dog breeders. Moreover, the Department believes that S.B. 414, S.D. 1, would work alongside existing animal cruelty laws, to deter and/or identify those who may be inclined to over-breed or wrongfully breed dogs.

For the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu strongly supports the passage of S.B. 414, S.D. 1. Thank you for the opportunity to testify on this matter.



THE HUMANE SOCIETY
OF THE UNITED STATES

TO: Honorable Chairs Baker and Ige and Committee Members

Senate Committees on Commerce and Consumer Protection and Ways
and Means, 2-27-13, 945am, rm 229

**RE: Testimony in SUPPORT of SB414; Relating to Commercial Dog Breeders (with
proposed amendments submitted by the Honolulu Prosecuting Attorney)**

Submitted by: Inga Gibson, Hawaii State Director, The Humane Society of the United States, P.O. Box
89131, Honolulu, HI 96830, igibson@hsus.org, 808-922-9910

On behalf of our members and supporters in Hawaii, we thank the Committees for considering this important measure to protect both dogs and consumers. Our organization has been involved in efforts in more than 20 states that have passed similar laws in the past 4 years to prevent the cruel treatment and exploitation of dogs, where sadly, profit is all too often put above welfare. The language proposed in this bill is similar to what is found in a number of states and has been upheld in numerous jurisdictions. In addition, amendments proposed by the Honolulu Prosecuting Attorney's Office address many of the concerns noted by breeders.

Animal Welfare Concerns: Dogs at puppy mills, also known as large scale commercial breeding operations, typically receive little to no medical care, often live in squalid conditions with no exercise, socialization or human interaction and are confined inside cramped wire cages for life. Breeding dogs must endure constant breeding cycles and are typically confined for years on end, without ever becoming part of a family. The breeding "stock" live their entire lives confined to small cages, devoid of human companionship. They are often victims of filth, inadequate shelter, overcrowding, and insufficient food and water. They are bred repeatedly and often receive little or no veterinary care.

Furthermore, many of these large-scale dog breeding operations continue to produce litter after litter of puppies, exacerbating the pet overpopulation crisis; contributing to increased euthanasia rates at local animal shelters and increasing animal care and control costs to taxpayers.

Consumer Protection Concerns: Dogs from these large-scale breeders are often sold in pet stores, online, via newspaper ads and in some cases directly to consumers with little or no regard for the dog's health, genetic history or future welfare. Puppies are often taken from their mothers for sale to pet stores at approximately 8 weeks of age, when they are highly susceptible to contagious diseases such as parvovirus and are very sensitive to behavioral stress. Poor breeding practices can also lead to serious genetic problems such as hip dysplasia—an often painful and crippling disorder.

In addition, many unknowing consumers also purchase dogs with "Registry Papers" thinking that this ensures the health or temperament of the dog they are purchasing. However, the American Kennel Club (AKC), by its own admission, has stated that AKC papers, "in no way indicate the quality or state of health of the dog." No one should believe a dog is well-socialized, genetically sound, or healthy simply because he or she comes with registry papers. In several states, laws even mandate that consumers must be told that these registry papers do not guarantee health or even lineage. Unfortunately, consumers mistakenly believe that a high price for a dog means that the dog is healthy and well-socialized.

Since the AKC has no enforcement authority it is necessary that the state act to protect these dogs by ensuring that basic welfare and standards of care are met, including the licensing provision which would allow law enforcement/animal control agencies to conduct reasonable inspections *prior to* an animal(s) suffering unnecessarily (please see below link for additional information on the need for these regulations:

http://www.humanesociety.org/assets/pdfs/pets/puppy_mills/report_akc_breeders.pdf)

Again, we urge your support of SB414 to better protect dogs and consumers alike.



Hawaiian Humane Society

People for animals. Animals for people.

2700 Waiialae Avenue Honolulu, Hawaii 96826
808.946.2187 • hawaiianhumane.org

To: Senators Baker and Ige, Chairs on the Committees on Commerce and Consumer Protection and on Ways and Means, respectively, Senators Galuteria and Kidani, Vice Chairs, and Committee Members

Senate Committees on Commerce and Consumer Protection (CPN) and on Ways and Means (WAM)
February 26, 2013, 9:45 am, Room 229

Submitted by: Jennifer J. Han, Policy Advocate
Hawaiian Humane Society, jhan@hawaiianhumane.org

Date: February 20, 2013

RE: **Support SB414, SD I;
Relating to Commercial Dog Breeders**

The Hawaiian Humane Society strongly supports the passage of Senate Bill 414, Senate Draft 1 as we have historically advocated for the regulation of commercial dog breeders to effect the humane treatment of both the parent-dogs and puppies.

With animal welfare being the primary concern, the Hawaiian Humane Society supports a uniform minimum standard of care and treatment of animals. The issue of proper care and treatment is at the forefront of the Hawaii community's concerns. The growing puppy industry makes it vulnerable particularly without rules and regulations on what the standard of care is.

According to the Hawaii Data Book, 2011, the pet industry amounts to nearly \$96 million. The Hawaiian Humane Society has executed an internal tracking of puppy sales in Oahu posted on Craigslist, Star Advertiser, and Kijiji (EBay). In the last eight months (June 2012 – January 2013), there have been 1,923 puppies advertised in Oahu just on these three websites, the sum of which amounts to almost \$2 million. With such a financial motivation, the puppy industry should be regulated not only to protect the animals but also to protect the consumer.

Thank you for the opportunity to testify in support of SB 414, SD 1. On behalf of Hawaiian Humane Society, I ask for your support in passing this measure.

Dear Senator Baker, Chair on the Committee on Commerce and Consumer Protection,

Although the Hawaiian Humane Society already submitted written testimony in support of SB 414, SD 1, we would like to add further comments specifically related to some of the changes in SD 1.

We strongly advocate that the contents of this bill should reside within state jurisdiction. We believe the licensing and regulation should be conducted by a state agency for the purpose of uniformity. There is an inherent danger in regulating commercial dog breeders county by county as it would push this big money industry into the unregulated areas. As an example, only nine days after entering no contest pleas to all 153 counts of animal cruelty, owners of the Waimanalo puppy mill opened another dog/puppy operation on the Big Island.

Further, where the puppies are born are not necessarily where the puppies are sold. For example, the owners of this breeding operation on the Big Island transports puppies born there to be sold on Oahu and other islands. This industry crosses county boundaries; a statewide standard is necessary to address this statewide issue. Due to the financially expanding industry, if it is not a concern in one county today, it will be tomorrow.

Lastly, SD 1 expands the definition of "commercial dog breeder" to include any person who, in part, "sells 3 or more litters or 25 dogs per year." When the State Auditor initially conducted the Sunrise Analysis in 2012, certain neighbor islands reported no "large-scale dog breeders." With the current amended definition of "commercial dog breeder," it will significantly increase the number of required licensees thus reinforcing the need for statewide oversight.

For the reasons stated above, we support this bill as a state law with state oversight to ensure uniformity across the counties and islands.

Thank you for the opportunity to provide further comments in support of Senate Bill 414.

Sincerely,
Jennifer J. Han

P.S. – Tag – you're it. [Click here](#) for information on pet identification.

Jennifer J. Han | Policy Advocate
Hawaiian Humane Society
808.356.2217
Hawaiianhumane.org



Hawaiian Humane Society
People for animals. Animals for people.





Submitted by: Donna Whitaker, Executive Director
Hawaii Island Humane Society
Date: February 25, 2013
RE: Support SB 414
Relating to Animal Cruelty: Commercial Dog Breeding

The Hawaii Island Humane Society joins with other Animal Welfare Agencies in the State of Hawaii in support of SB 414 in order to better protect animals from inhumane conditions associated with breeding operations.

This bill would provide much needed protection for breeding dogs by outlining standards of care including nutrition, exercise and housing, and ensuring that an entity owning or breeding animals keep appropriate and accurate records on veterinary treatment, vaccinations, and breeding frequency. The consumers will also be protected through accurate record keeping and would know that a dog is fit for breeding through proper veterinary medicine channels. It will prohibit these operations from owning more than 50 dogs, which would prevent a business from exploiting countless animals.

Thank you for the opportunity to present to the committee and we respectfully ask for your support of this measure.

SB414

Submitted on: 2/26/2013

Testimony for CPN/WAM on Feb 27, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Donna Whitaker	Hawaii Island Humane Society	Support	No

Comments: Dear Senator Baker, Chair on the Committee on Commerce and Consumer Protection, Although the Hawaii Island Humane Society already submitted written testimony in support of SB 414, SD1, we would like to add further comments specifically related to some of the changes in SD 1. We strongly advocate that the contents of this bill should reside within state jurisdiction. We believe the licensing and regulation should be conducted by a state agency for the purpose of uniformity. There is an inherent danger in regulating commercial dog breeders county by county as it would push this big money industry into the unregulated areas. As an example, only nine days after entering no contest pleas to all 153 counts of animal cruelty, owners of the Waimanalo puppy mill opened another dog/puppy operation on the Big Island. Further, where the puppies are born are not necessarily where the puppies are sold. For example, the owners of this breeding operation on the Big Island transports puppies born there to be sold on Oahu and other islands. This industry crosses county boundaries; a statewide standard is necessary to address this statewide issue. Due to the financially expanding industry, if it is not a concern in one county today, it will be tomorrow. Lastly, SD 1 expands the definition of "commercial dog breeder" to include any person who, in part, "sells 3 or more litters or 25 dogs per year." When the State Auditor initially conducted the Sunrise Analysis in 2012, certain neighbor islands reported no "large-scale dog breeders." With the current amended definition of "commercial dog breeder," it will significantly increase the number of required licensees thus reinforcing the need for statewide oversight. For the reasons stated above, we support this bill as a state law with state oversight to ensure uniformity across the counties and islands. Thank you for the opportunity to provide further comments in support of Senate Bill 414. Sincerely, Donna Whitaker



AMERICAN
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Sheila Goffe
Director
Government Relations

February 25, 2013

The Honorable Rosalyn H. Baker
The Honorable David Y. Ige
Members of the Senate Committee on Commerce and Consumer Protection
Members of the Senate Committee on Ways and Means
415 South Beretania Street
Honolulu, HI 96813

Re. Oppose Senate Bill 414 SD1

Dear Senator Baker, Senator Ige, and Committee Members,

The American Kennel Club (AKC) writes to express grave concerns with Senate Bill 414 SD1 and to respectfully ask that you reject this measure.

The AKC supports reasonable and enforceable laws that protect the welfare and health of dogs and do not restrict the rights of breeders and owners who meet their responsibilities. However, the overreaching provisions SB 414 have strayed far from what is reasonable and necessary to protect the well-being of dogs, while creating unnecessary hardships on owners of intact dogs and responsible, small hobby breeders.

The basic premise in SB 414 S.D.1 is faulty. This measure is presented as a bill that would regulate “large scale breeding facilities.” **However, every provision of this measure and every penalty for non-compliance would impact owners of ten or more unsterilized dogs over the age of four months of age, regardless of whether those owners ever bred a dog or sold a puppy.**

If the intent of the measure is to regulate commercial breeding operations in Hawaii, we believe a better alternative is to regulate facilities based on commercial activity, e.g. the large-scale selling of dogs, rather than on ownership of private property.

As currently written, SB414 further contains numerous requirements that are confusing, unnecessary and unreasonable. Examples include, but are not limited to:

- It would be a violation to fail to implant a microchip in a dog over the age of four months. It would also be a violation to implant a microchip in a dog less than four months. Therefore, a dog owner who did not have a dog microchipped *on its four-month birthday* would be guilty of a misdemeanor and subject to a civil penalty of up to \$1000.
- Because this bill would require an owner to provide dogs with “constant and unfettered access to an *indoor* enclosure,” securing dogs outside – even temporarily for play time and exercise – would be a misdemeanor and would be subject to a civil penalty of up to \$1000, regardless if protection from the elements, water, and other comforts were provided.

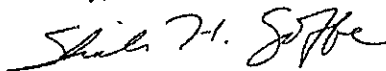
- The use of expansive turn-out areas for providing dogs with regular *periodic* exercise and play would not meet the requirement for providing “constant and unfettered access” to an exercise area. A violation would be a misdemeanor and subject to a civil penalty of up to \$1000.
- It would be a misdemeanor and subject to a civil penalty of up to \$1000 for a dog owner to fail to provide veterinary care for any illness or injury. This exceeds legal requirements for the parents and legal guardians of minor children.
- Enclosing a dog in an appropriately-sized dog crate would be a misdemeanor and subject to a civil penalty of up to \$1000.
- It would be a misdemeanor and subject to a civil penalty of up to \$1000 to breed any dog – male or female – that is older than age eight. It would also be a violation subject to the same penalties to allow any dog – again, male or female – to produce more than two litters in an 18-month period. This could be devastating to the genetic diversity of rare breeds and would curtail the breeding of dogs that exhibit the desirable traits of health and longevity.
- Any person who owned, possessed, controlled, or otherwise had charge or custody of more than 10 intact dogs over the age of four months who was not licensed as a “dog breeder” would be subject to a civil penalty of up to \$1000 per day.
- Lack of compliance with extensive recordkeeping requirements would be a misdemeanor and subject to a civil penalty of up to \$1000.
- The premises of a licensee would be subject to unannounced inspections during “business hours.” This is unreasonable for dog owners who do not breed their dogs and for hobby breeders who do not operate a business or who work outside the home.
- No person would be permitted to own or control more than 30 intact dogs over the age of 1 year at any time. The AKC opposes laws that limit the number of dogs a responsible person may own.
- This bill would allow the development of additional rules by local humane societies, while also empowering those organizations to seize and impound dogs upon any violation of those rules.

Responsible owners of unsterilized dogs who are not “breeders” and exemplary small home-based hobby breeders could be criminalized under the unreasonable and unwarranted requirements of this bill.

We respectfully urge you to carefully review SB 414 S.D. 1, to consider the impact of the provisions therein, and to vote no on this measure.

Thank you for your consideration.

Sincerely,



Sheila Goffe

The American Kennel Club supports the humane treatment of dogs, including providing an adequate and nutritious diet, clean living conditions, regular veterinary care, kind and responsible human companionship, and training in appropriate behavior. The AKC supports reasonable and enforceable laws that protect the welfare and health of dogs without restricting the rights of owners and breeders who properly maintain their dogs.



Best Friends
ANIMAL SOCIETY

5001 Angel Canyon Road • Kanab, Utah 84741-5000 • (435) 644-2001 • www.bestfriends.org

21 February 2013

Senate Committee on Commerce and Consumer Protection
Senate Committee on Ways and Means
Hawaii State Capitol

Re: Support for SB 414

Dear Chairman Baker, Chairman Ige and Members of the Committees,

On behalf of Best Friends Animal Society, a national animal welfare organization in its thirtieth year, I am pleased to offer support for Senate Bill 414 as a positive and viable means of improving the regulation of Hawaii's commercial breeding industry.

Puppy mills are an enormous problem in this country. These facilities, which supply most U.S. pet stores and online retailers, are cruel and inhumane factories in which profit and maximum productivity take priority over the health and welfare of the animals. Our own Dr. Frank McMillan testified in the tragic Bradley International puppy mill case in Oahu that spotlighted the critical need for this kind of legislation.

Although the USDA regulates commercial breeding facilities that sell wholesale, their standards do not ensure a humane life for dogs; in fact, they do little more than require food and water. These types of kennels can legally have hundreds - often a thousand - dogs in one facility, and these dogs are often confined to very small cages for their entire lives, forced to breed continuously in order to produce as many puppies as possible.

Best Friends has transported and found placement for thousands of survivors of puppy mills, and we have seen firsthand the physical and psychological damage endured by these dogs when breeders are able to operate with no oversight or state regulation.

Because the goal is to make a profit, puppy mill owners must cut corners to keep expenses low and profits high. For the unsuspecting consumer, this frequently results in the purchase of a puppy facing an array of immediate veterinary problems or harboring genetic diseases that surface down the line, well after the pet store's warranty or state lemon law is applicable. This creates a financial burden on the consumer and results in many of these dogs being surrendered to overcrowded, taxpayer-subsidized shelters. Thus, this is not only a humane issue, but also a consumer protection issue.

Between two and four million puppies are bred in licensed and non-licensed facilities in the U.S. every year, while two to four million animals are killed in U.S. shelters every year -- at taxpayer expense. These are not defective, unadoptable pets, but a surplus caused by the fact that there are simply not enough homes for them. It makes little sense to continue manufacturing dogs when so many are being killed for lack of space. Public education has been effective, but until states take the initiative to regulate animals being produced in these commercial facilities, there can be no hope of preventing these unnecessary deaths.

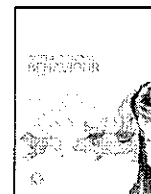
Best Friends applauds the state of Hawaii for taking a compassionate, common sense initiative to addressing the puppy mill crisis in your community, and setting a positive example for the rest of the country to follow. We are proud to support you in your efforts, and hope you will let us know if there is anything we can do to help.

Thank you for your consideration of this important proposal.

Respectfully,

Elizabeth Oreck

Elizabeth Oreck
National Manager, Puppy Mill Initiatives
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Mental health of dogs formerly used as 'breeding stock' in commercial breeding establishments

Franklin D. McMillan^{a,*}, Deborah L. Duffy^b, James A. Serpell^b

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ARTICLE INFO

Article history:

Accepted 2 September 2011

Available online 11 October 2011

Keywords:

Dog
Welfare
Stress
Psychopathology
Puppy mill
C-BARQ

ABSTRACT

Canine commercial breeding establishments (CBEs) are kennel facilities where puppies are produced in large numbers for commercial sale. In the popular media, CBEs are commonly referred to as "puppy mills" or "puppy farms." Conditions in CBEs vary widely in quality. Dogs in these facilities are routinely housed for their entire reproductive lives in cages or runs, and provided with minimal to no positive human interaction or other forms of environmental enrichment. Numerous anecdotal reports have suggested that after removal from CBEs many of the former breeding dogs display persistent behavioural and psychological abnormalities when compared with the general pet dog population. The purpose of this study was to determine if this anecdotal evidence could be confirmed empirically.

Behavioural evaluations of the dogs were obtained from current owners/fosterers using the Canine Behavioural Assessment and Research Questionnaire (C-BARQ), which utilizes ordinal scales to rate either the intensity or frequency of the dog's behaviours. A total of 1169 former CBE dogs were included in the study.

Among the CBE ex-breeding dogs, 76 different breeds were represented. With the exception of the Bichon Frise (31.5%), all other breeds comprised <5% of the dogs. The sex ratio was 70.3% females and 29.7% males. The dogs had been living in their adoptive homes for an average of 2 years when the C-BARQ was completed.

When compared with a convenience sample of pet dogs matched for breed, sex, age and neuter status, former CBE breeding dogs were reported as showing significantly higher rates of health problems (23.5% versus 16.6%, $P=0.026$). With respect to behaviour, CBE dogs displayed significantly higher rates of fear (both social and nonsocial; ordinal GLM models, $P<0.001$), house-soiling ($P<0.001$), and compulsive staring ($P<0.005$); and significantly lower rates of aggression (toward strangers and other dogs; $P<0.0001$), trainability ($P<0.0001$), chasing small animals ($P<0.0001$), excitability ($P<0.0001$), and energy ($P<0.0001$).

By demonstrating that dogs maintained in these environments develop extreme and persistent fears and phobias, possible learning deficits as evidenced by lower trainability, and often show difficulty in coping successfully with normal existence, this study provides the first quantitative evidence that the conditions prevailing in CBEs are injurious to the mental health and welfare of dogs.

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1. Introduction

The commercial dog breeding industry is a major producer of purebred dogs in many countries around the world. The owners of these facilities refer to themselves

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by different names, such as 'professional breeding kennels,' 'high-volume breeders,' and 'large-scale breeders.' In some countries (e.g., the UK and Australia) these breeding establishments are referred to as 'puppy farms.' In the USA, the mass production aspect of these operations at some point gave rise to the term 'puppy mill,' which has come to be defined by many as 'a commercial farming operation in which purebred dogs are raised in large numbers' (Merriam-Webster, 2010). For the purposes of this report, high-volume puppy producing operations will be referred to as commercial breeding establishment (CBE).

In general, CBEs are operated like other production animal enterprises, and the dogs are viewed and treated as livestock (Hinds, 1993). Conditions in CBEs vary from modern, clean, and well kept to squalid, noxious, and grave and potentially detrimental to animal health and welfare (Hinds, 1993; Smalley, 2009; USDA, 2004). Common to virtually all CBEs are the following: large numbers of dogs; maximally efficient use of space by housing dogs in or near the minimum space permitted by law; housing breeding dogs for their entire reproductive lives—in most cases, years—in their cages or runs; dogs rarely if ever permitted out of their primary enclosures for exercise or play; absence of toys or other forms of enrichment; minimal to no positive human interaction or companionship; and minimal to no health care (Bradley, 2010; Fischer, 2010; Shaughness and Slawacki, 2010).

Numerous anecdotal reports suggest that dogs formerly maintained as breeding dogs in CBEs display behavioural and psychological abnormalities when compared with the general pet dog population (Bradley, 2010; Lockwood, 1995). If true, a number of factors may contribute to the development of such abnormalities, the prime candidates being severe and/or chronic stress (e.g., restrictive confinement, under- or overstimulation, social conflict, social deprivation, physical factors), inadequate socialization, genetics, and maternal adversity. The goal of the present study was to determine if the anecdotal evidence of behavioural and psychological abnormalities in dogs from CBEs could be confirmed by comparing owner-derived behavioural assessments of former CBE breeding dogs with those of typical pet dogs. Identification of any differences that adversely affect the dogs' welfare would indicate the need for, and guide the development of, preventive, corrective, and therapeutic measures.

2. Materials and methods

2.1. Data collection

Behavioural evaluations of the dogs were obtained from current owners/fosterers using the Canine Behavioural Assessment and Research Questionnaire (C-BARQ; <http://www.cbarq.org>) (Hsu and Serpell, 2003). The C-BARQ is designed to provide quantitative assessments of a wide array of behavioural characteristics of dogs, and has been widely used as a research tool for comparing behaviour in different dog populations (Duffy et al., 2008; Otto et al., 2004; Serpell and Hsu, 2005; Van den Berg et al., 2010). The questionnaire consists of 101 items which ask respondents to indicate using a series of 5-point

ordinal rating scales their dogs' typical responses to a variety of everyday situations during the recent past. The scales rate either the intensity (aggression, fear and excitability subscales) or frequency (all remaining subscales and miscellaneous items) of the behaviours, with a score of 0 indicating the absence of the behaviour and a score of 4 indicating the most intense or frequent form of the behaviour. The C-BARQ currently comprises 14 behavioural factors or subscales (calculated as the mean of the questions pertaining to each subscale), and a further 22 miscellaneous stand-alone items. Higher scores are generally less favorable for all items and subscales with the exception of trainability, for which higher scores are more desirable. In addition, the C-BARQ asks dog owners if their dog is "currently experiencing any significant health problems" (yes/no) and if they are "currently experiencing any problems with this dog's behaviour or temperament", to which they can select from among the following: no problems, only minor problems, moderate problems, serious problems. Owners were also asked to indicate the dog's current age at the time the survey was completed, the dog's age when it was acquired, and whether or not there are any other dogs living in the same household. The C-BARQ automatically records the time and date when the survey is submitted and this information, together with the aforementioned data, allowed calculation of the duration of time that the dog had been living in the home at the time of survey completion. Four sections in the C-BARQ include 'open field comments' that permit the participant to elaborate on their dog's behaviour relative to the behavioural category of the question (e.g., situations where the dog is sometimes aggressive, is fearful or anxious, becomes over-excited, and other stereotyped or repetitive behaviours).

2.2. CBE ex-breeding dog sample

Dogs were recruited for the study in one of four ways: (1) direct solicitation of adopters and fosterers of dogs previously confiscated from CBEs by an animal protection organization¹ and subsequently offered for adoption; (2) solicitation via a notice placed in the same organization's magazine; (3) all national and local animal welfare organizations listed in the Best Friends Animal Society databank as involved with 'puppy mill rescue' were contacted and asked to distribute the solicitation notice to the people with whom they had placed former breeding dogs (foster care or full adoption); and (4) a solicitation notice posted on a dog website (dogforums.com). Further distribution via word of mouth was not discouraged. No geographical restrictions were imposed. The solicitation notice for the study contained both an email address and telephone number. Individuals responding via email were provided with a link to the online questionnaire; telephone respondents were also provided with the link or, if they lacked internet access, were mailed a hardcopy of the questionnaire together with a postage-paid return envelope. The owners were made aware of the purpose of the study in the form of a single

¹ Best Friends Animal Society.

sentence included in the solicitation notices. The magazine and website notice stated that we were looking for dogs for a study of “psychological effects of living in a commercial breeding facility (“puppy mill”); the email notice sent via rescue groups announced, “a large scale study on dogs that were once used as breeding dogs in commercial breeding facilities (“puppy mills”),” with the stated purpose: “we are trying to fully understand the psychological changes that occur in the dogs that have experienced this kind of life.”

The dogs included in the study were those that had been used, or confined with the intention to be used, as breeding dogs in CBEs. The stipulation that the dog had been used for breeding purposes in a CBE/puppy mill was for the purpose of distinguishing adult dogs from puppies that were transported out for sale before 12 weeks of age. In reality, it is not possible in every case to confirm that a dog recovered from a CBE had been used for breeding. The study, however, was not intended to evaluate the effects of breeding *per se*, but rather the confinement in a CBE. The criteria used for inclusion in the study were based on the fact that, except for rare exceptions, dogs are not kept in these facilities if they are unable to successfully reproduce. Therefore, if the dog is confined in a CBE and over 1 year of age, it is a near certainty it is being used, or is intended for use, as a breeding dog. Any dog less than 8 months of age at the time of removal from the CBE was excluded from the study, and any dog over 1 year was included. Dogs between 8 and 12 months of age were included only if confirmed to be a breeding dog (or intended breeding dog) by a CBE operator. To avoid reliance on memory and hence recall bias, only dogs currently living and in that person’s care were included in the study.

To assure that each dog in the study had no known history of psychological trauma outside of their CBE experience, one question was added to the survey asking the owner to select from a list of traumatic events and/or write in any known sources of trauma their dog had experienced. Only those dogs whose owners selected the answer “was rescued from a puppy mill where he/she was being used as a breeding dog” were included in the study.

In the solicitation of participants the term ‘puppy mill’ was used for two reasons. First, while the term ‘puppy mill’ is considered by some to be derogatory and judgmental, the definitions of puppy mill and CBE may be considered synonymous. For example, Merriam-Webster (2010) defines ‘puppy mill’ as “a commercial farming operation in which purebred dogs are raised in large numbers”; this also accurately describes a canine commercial breeding establishment. Based on personal communication with the groups involved in the recovery and rescue of these dogs it is clear that the adopters and fosterers were familiar with the term ‘puppy mill’ and unfamiliar with the term ‘commercial breeding establishment.’ Second, the groups involved with rehoming these dogs have ‘puppy mill’ in their name and/or use the term to describe large commercial breeding establishments when conducting any activities or communications related to the dogs they assist.

2.3. Pet dog sample

For the purposes of comparison, a convenience sample of C-BARQ assessments of pet dogs was used. Beginning in April 2006, free access to the online version of the C-BARQ became available to pet owners. The survey was advertised via an article in the newsmagazine of the Veterinary Hospital of the University of Pennsylvania (Kruger, 2006) and by notices sent to Philadelphia-area veterinary clinics and the top 20 US breed clubs based on AKC registrations. Availability of the survey then spread via word of mouth. Breed designations are based entirely upon owner assertions. From a dataset containing 13,620 pet dogs, a subset of dogs was randomly chosen to serve as matched controls for the CBE breeding dogs. Cases were matched on the basis of age (± 6 months), sex, breed and (when possible) neuter status.

For comparison of former CBE breeding dogs with a control set of pet dogs, the analysis was limited to dogs that had been in the home for at least 3 months in order to allow sufficient time for owners to become familiar with their dogs’ typical behavioural responses. An additional 36 CBE breeding dogs were removed from analysis because their neuter status was not reported by their owners. This left us with 715 dogs in the age-verified CBE ex-breeding dog dataset for which we attempted to find a matching control case with respect to approximate age (± 6 months), sex, breed and (when possible) neuter status within the pet owner dataset. We were able to find age-, sex-, and breed-matched controls for 332 of the CBE ex-breeding dogs, yielding a total sample size of 664 dogs (332 CBE ex-breeding dogs and 332 matched controls). As reported by their owners, the control cases had been acquired from a variety of sources (‘bred by owner’: 9 (2.7%), ‘breeder’: 181 (54.5%), ‘pet store’: 22 (6.6%), ‘friend or relative’: 33 (9.9%), ‘stray’: 8 (2.4%), ‘shelter’: 62 (18.7%), and ‘other’: 17 (5.1%).

2.4. Statistical analyses

All statistical analyses were performed using SPSS version 17 software. Chi-square tests were used to compare categorical variables between the two samples (CBE ex-breeding dogs and pet dogs). A Kruskal–Wallis test was used to compare the duration of ownership between the two samples. Ordinal Generalized Linear Models (GLM) were fitted to assess the effect of the dog’s background (CBE ex-breeding dogs versus matched controls) on each C-BARQ item/subscale, with the presence of other dogs in the home (other dogs; yes/no), the length of time in the home (duration of ownership in months), and neuter status included as potential confounding effects. Corrections for multiple tests were performed using a Sequential Bonferroni procedure (Holm, 1979) in which $P_i \leq \alpha/(1 + k - i)$ where $\alpha = 0.05$, $k = 36$ and $P_i = P_1, P_2, P_3, \dots, P_{36}$.

3. Results

3.1. CBE ex-breeding dog data

A total of 1420 completed surveys were received, of which 251 were eliminated because: (1) the dog was not a

former CBE breeding dog, (2) the dog's CBE breeding history could not be ascertained from the owner, and (3) the questionnaires were incomplete or contained duplicate entries. This left a final sample size of 1169 for the descriptive analysis of CBE dogs. Due to some initial errors in the owners' reporting of the age of the dogs when evaluated and when acquired (e.g., some cases where the age at which the dog was evaluated was younger than when it was reportedly acquired), owners of all former CBE breeding dogs were contacted in order to verify the age of the dog and the approximate date on which it was obtained. Of these, 851 responded with the information necessary to perform analyses involving the dogs' ages and length of time living in the home.

Among the CBE ex-breeding dogs, 76 different breeds were represented. The largest represented breed was the Bichon Frise (31.5%); Papillon, Shih Tzu, and Golden Retriever each comprised just under 5% of the dogs (4.96%, 4.96%, 4.88%, respectively). Other breeds comprised 4% or less of the population. The most likely explanation for the high proportion of Bichon Frises in our study is that the director of a very large Bichon breed rescue organization (Small Paws Rescue, Tulsa, Oklahoma) was extremely diligent in obtaining the participation of the adopters of their former CBE dogs. The sex ratio was 70.3% females and 29.7% males, consistent with the greater proportion of breeding females than males in CBEs. Most of the dogs were living in multi-dog households (91.4%).

Health problems affected approximately one-quarter (26.8%) of CBE ex-breeding dogs, while behavioural concerns were reported in over 80% of the dogs, with 47.9% reporting only minor behavioural problems, and 33.2% reporting moderate to serious problems. Based on the subset of former CBE breeding dogs for whom the age when acquired and evaluated could be verified ($N=851$), dogs were acquired at the age of 5 years on average (± 0.09 SE; minimum and maximum age acquired: 0.83 years and 15 years, respectively) and had been living in their adoptive homes for an average of 24 months (± 10.08 SE; minimum and maximum time in the home: <1 month and 202 months, respectively) when the C-BARQ was completed. On average, dogs were 7 years old (± 0.12 SE) at the time of data collection (minimum and maximum ages: 1 year and 25 years old, respectively). It should be borne in mind, however, that estimates of CBE dogs' ages are, in many cases, a matter of educated guesswork based on standard aging criteria, such as dental disease and body condition (Hinds, 1993; USDA, 2004).

3.2. Comparison of former CBE breeding dogs with 'typical' pet dogs

Fifty different breeds were represented in the data; 17.5% of the samples were Bichon Frise and 12% were Golden Retrievers. Chihuahuas, Shih Tzus, and Papillons comprised 6.9%, 5.7%, and 4.8% of the data, respectively. The remaining breeds each comprised $\leq 4\%$ of the data, all of which were included in the analysis. The combined sample consisted of 65.7% females and 34.3% males.

Health and behavioural concerns were reported at significantly higher rates among owners of former CBE

Table 1

Frequency of reports of health problems and behavioural concerns by owners of former CBE breeders and matched pet owners.

	CBE ex-breeding dogs	Matched controls
<i>Health problems</i>		
Yes	78 (24) ^a	55 (17)
No	254 (77)	277 (83)
<i>Behavioural concerns</i>		
No problems	56 (17)	146 (44)
Only minor problems	166 (50)	119 (36)
Moderate problems	90 (27)	53 (16)
Serious problems	20 (6)	14 (4)
Total	332	332

^a Numbers in parentheses indicate percentages within each dataset.

breeding dogs than for matched controls, with 23.5% of CBE ex-breeding dog owners reporting health problems compared to 16.6% of matched pet owners ($\chi^2 = 4.974$, $df = 1$, $P = 0.026$), and 83.1% reporting behavioural concerns compared to 56.0% of pet owners ($\chi^2 = 57.63$, $df = 1$, $P < 0.0001$) (see Table 1). A significantly greater proportion of former CBE ex-breeding dogs lived in multi-dog households compared to the matched controls (88.6% compared to 67.8%, respectively; Chi-square test, $\chi^2 = 42.0$, $df = 1$, $P < 0.0001$). The duration of time for which the dogs had been living in the home prior to evaluation was significantly lower among former CBE ex-breeding dogs than the matched controls (Kruskal–Wallis test: $\chi^2 = 240.6$, $df = 1$, $P < 0.0001$; mean number of months = 20.6 ± 1.07 SE for former CBE ex-breeding dogs versus 57.5 ± 1.92 SE for matched controls).

We compared the C-BARQ scores of former CBE breeding dogs to matched controls using separate multinomial ordinal GLMs (with cumulative logit link function) with the C-BARQ item/subscale as the response variable for each model. For the response variables, the 22 stand-alone items were used in their original raw format (i.e., the ordinal scale of 0 through 4). Due to their non-normal and often highly skewed, semi-discrete distributions, the 14 subscales were converted into ordinal variables using quartiles as the cut-off values (see Table 2). The presence of other dogs in the

Table 2

Quartiles used to create discrete ordinal categories for each of the 14 subscales. Scores at or below each cutoff value were recoded as indicated in the column header. Numbers in parentheses indicate the number of questions that comprise each subscale.

C-BARQ subscale	1	2	3	4
Stranger-directed aggression (10)	0	0.2	0.8	>0.8
Owner-directed aggression (8)	0	0.125	>0.125	n/a^a
Dog-directed aggression (4)	0	0.25	1.0	>1.0
Dog rivalry (4)	0	0.25	0.75	>0.75
Trainability (8)	1.75	2.25	2.75	>2.75
Chasing (4)	0.25	1.5	2.5	>2.5
Stranger-directed fear (4)	0	1.0	2.75	>2.75
Dog-directed fear (4)	0.25	0.75	1.667	>1.667
Nonsocial fear (6)	0.5	1.083	2.0	>2.0
Separation-related problems (8)	0.125	0.5	1.0	>1.0
Touch sensitivity (4)	0.25	1.0	1.67	>1.67
Excitability (6)	1.5	2.0	2.67	>2.67
Attachment/attention-seeking (6)	1.5	2.0	2.67	>2.67
Energy (2)	1.0	1.5	2.5	>2.5

^a The first and second quartiles had the value of 0, therefore only 3 categories were formed.

Table 3

Results of the ordinal Generalized Linear Models. *P* values represent the main effect of being a former CBE breeding dog.

Response variable	<i>P</i>	Odds ratio	<i>B</i>	SE	95% CI	Confounders ^b
Escapes ^a	0.002	0.56	−0.571	0.183	(−0.929, −0.212)	
Rolls in feces	0.009	0.62	−0.473	0.183	(−0.831, −0.116)	
Coprophagia	0.013	1.58	0.455	0.183	(0.098, 0.813)	1
Chews	0.701					3
Mounts	0.015	0.53	−0.629	0.258	(−1.135, −0.124)	
Begs	0.003	0.60	−0.512	0.173	(−0.851, −0.173)	1
Steals food	0.011	0.63	−0.466	0.183	(−0.824, −0.108)	2
Nervous on stairs	<0.0001	5.98	1.789	0.222	(1.353, 2.225)	
Pulls on leash	0.0002	0.51	−0.679	0.183	(−1.037, −0.320)	1, 3
Urine marking	0.001	2.06	0.724	0.222	(0.290, 1.159)	1, 2
Emotional urination	0.959					
Urination when left alone	<0.0001	2.81	1.032	0.197	(0.647, 1.416)	2
Defecation when left alone	0.0003	2.07	0.726	0.202	(0.331, 1.121)	2
Hyperactive	0.012	0.62	−0.482	0.191	(−0.856, −0.108)	3
Stares intently at nothing visible	0.003	1.87	0.626	0.210	(0.215, 1.037)	1
Snaps at flies	0.257					
Tail chasing	0.011	0.50	−0.688	0.269	(−1.216, −0.160)	1, 3
Shadow chasing	0.001	0.40	−0.927	0.282	(−1.481, −0.373)	1
Barks persistently	0.004	0.61	−0.501	0.174	(−0.842, −0.159)	
Self grooming	0.007	1.65	0.499	0.186	(0.135, 0.864)	1, 3
Allo grooming	0.072					1
Other stereotyped behaviour	0.005	1.91	0.648	0.229	(0.199, 1.098)	
Stranger-directed aggression	<0.0001	0.40	−0.942	0.183	(−1.299, −0.585)	1
Owner-directed aggression	0.004	0.55	−0.606	0.211	(−1.020, −0.191)	1
Dog-directed aggression	<0.0001	0.30	−1.202	0.188	(−1.569, −0.834)	
Dog rivalry	<0.0001	0.42	−0.864	0.191	(−1.237, −0.490)	
Separation-related problems	0.093					1
Trainability	<0.0001	0.25	−1.370	0.186	(−1.734, −1.006)	
Chasing small animals	<0.0001	0.20	−1.623	0.195	(−2.004, −1.242)	
Stranger-directed fear	<0.0001	8.12	2.094	0.195	(1.712, 2.476)	
Dog-directed fear	0.002	1.78	0.577	0.183	(0.220, 0.835)	1
Nonsocial fear	<0.0001	6.62	1.89	0.193	(1.511, 2.269)	
Touch sensitivity	<0.0001	3.19	1.161	0.182	(0.803, 1.518)	
Excitability	<0.0001	0.47	−0.761	0.179	(−1.112, −0.409)	
Attachment/attention-seeking	0.846					3
Energy	<0.0001	0.29	−1.253	0.184	(−1.614, −0.893)	3

^a Items in boldface are significantly different after sequential Bonferroni correction.

^b Confounders with main effects: 1 = other dogs in household, 2 = neuter status, 3 = duration of ownership. Boldface indicates significance with sequential Bonferroni correction.

home (other dogs; yes/no), the length of time in the home (duration of ownership in months), and neuter status were also included as potential confounding effects. The latter was included because it was not possible to match every case with respect to neuter status. The CBE ex-breeding dog dataset contained four intact dogs (two male, two female) while the matched control dataset contained 20 intact dogs (15 female, 5 male). The remaining dogs were all neutered at the time of evaluation and both intact and neutered dogs were included in the analyses. Due to the severe imbalance or skewed nature of the confounding variables, interaction terms could not be included without encountering quasi-complete separation of the data; therefore, only main effects were included in the models.

Significant differences were found between CBE ex-breeding dogs and matched controls for 20 out of 36 behavioural variables measured by the C-BARQ (see Table 3). In general, CBE ex-breeding dogs exhibited more fear/nervousness, compulsive behaviours (defined as behaviours that are usually brought on by conflict, but subsequently displayed out of context and are often repetitive, exaggerated or sustained' (Hewson and Luescher, 1996), e.g., staring at nothing visible), house soiling when left alone, and sensitivity to touch compared to matched

controls, and less aggression, excitability, energy, chasing small animals, and escaping/roaming. Most notably, CBE ex-breeding dogs showed markedly higher levels of fear. Compared to matched controls, the odds of scoring in the upper quartiles for stranger-directed fear were more than eight times higher in CBE ex-breeding dogs while holding the intervening variables constant. Likewise, the odds of scoring in the upper quartiles for nonsocial fear or receiving a higher scale score for 'nervous on stairs' were nearly six times greater for CBE ex-breeding dogs compared to matched controls. In addition, scoring in the upper quartiles for trainability (which would indicate a dog that is more easily trained) was 75% less likely for CBE ex-breeding dogs compared to matched controls when the intervening variables were held constant.

CBE ex-breeding dogs showed significantly lower levels of aggression compared to matched controls. They were 60% less likely to score in the upper quartiles for aggression directed toward strangers than matched controls when intervening variables were held constant. CBE ex-breeding dogs also scored lower for aggression directed toward other dogs (58% and 70% less likely to score in the upper quartiles for aggression toward familiar and unfamiliar dogs, respectively). Likewise, CBE ex-breeding dogs were 71%

and 53% less likely than matched controls to score in the upper quartiles for energy level and excitability, respectively. CBE ex-breeding dogs were 80% less likely to score in the upper quartiles for chasing small animals compared to matched controls when intervening variables were held constant.

The presence or absence of other dogs in the household had a significant main effect on a number of behaviours (Table 3), with dogs living in multi-dog households scoring more favorably than dogs in single-dog homes for all but coprophagia and urine marking. Neuter status had only marginal effects (Table 3), with intact dogs scoring less favorably, that did not reach statistical significance when corrections for multiple comparisons were made. The duration of time in the household also had a number of effects on behaviour, with increased time in the home associated with improved behaviour for all except self-grooming (Table 3).

4. Discussion

The psychological state that most obviously distinguishes former CBE breeding dogs from typical pet dogs is fear. As determined by their numerical scores on most of the C-BARQ fear subscales (fear of strangers, fear of stairs, nonsocial fears, and touch sensitivity), many of these dogs appear to experience regular and often persistent fear or anxiety, even after years in their adoptive households. The psychological composition of elevated fears toward unfamiliar people and dogs while demonstrating decreased aggression toward the same would tend to indicate chronic up-regulation of the hypothalamic–pituitary axis (HPA) “fight or flight” mechanism with a bias toward flight. In addition, CBE ex-breeding dogs exhibited significantly higher frequencies of house-soiling (urination and defecation when left alone, and urine marking) and compulsive behaviours, and significantly reduced scores for aggression, trainability, chasing small animals, excitability, and energy.

The abnormal behaviours (as compared to the control population) observed in the former CBE breeding dogs in this study have multiple potential causes. However, the two explanations most consistent with the findings are stress-induced psychopathology and inadequate early socialization and/or lack of exposure to environmental stimuli normally found in the lives of typical pet dogs.

4.1. Stress-induced psychopathology

Although no studies on sources of stress in CBEs or their potential effects on the well-being of the dogs have been published, these factors have been investigated in dogs living in confinement in kennels (Beerda et al., 1999a,b; Hiby et al., 2006; Lefebvre et al., 2009; Rooney et al., 2007; Stephen and Ledger, 2005; Taylor and Mills, 2007), animal shelters (Tuber et al., 1999; Wells et al., 2002), and laboratories (Campbell et al., 1988; Hubrecht, 1993; Hughes et al., 1989). Similar stressors have been documented in the CBE environment (USDA, 2004), and it is therefore reasonable to presume that the findings for dogs confined in kennels, shelters, and laboratories are applicable to the dogs in the present study, despite some differences in

background, housing and husbandry. Specific factors that have been determined to be associated with stress in dogs living in confined environments include: spatial restriction (Beerda et al., 1999a,b; Wells et al., 2002); extreme temperatures (Morgan and Tromborg, 2007; Smalley, 2009; USDA, 2004); aversive interactions with kennel staff (Morgan and Tromborg, 2007; Scott and Fuller, 1965); lack of ‘control’ or the capacity to avoid or regulate exposure to aversive stimuli (Stephen and Ledger, 2005; Taylor and Mills, 2007; Tuber et al., 1999; Wells et al., 2002), and limited access to positive human and conspecific social interactions (Beerda et al., 1999a; Hubrecht, 1993; Hubrecht et al., 1992; Hughes et al., 1989).

The fact that dogs used for breeding purposes in CBEs typically live for years in the facility raises the issue of chronicity of stressor exposure; specifically, whether the kennel and shelter-related stressors just discussed are, when experienced chronically, sufficient for causing psychopathological changes in dogs. Recent studies in humans have demonstrated that chronic adversity in people has the potential to create profound emotional scars that may affect the individual for the remainder of his or her life (Niederland, 1964; van der Kolk et al., 2005). Chronic stress in dogs in kennel and shelter environments has been the subject of a few studies. Beerda et al. (2000) reported that dogs unable to cope successfully with inadequate housing conditions may become chronically stressed, as indicated by physiological indices and behaviour. The dogs may develop abnormal behaviours such as hyperactivity, timidity, aggression, and stereotypic locomotory behaviours (circling, pacing, and wall-bouncing) (Hubrecht, 1992; Hubrecht et al., 1992).

Physical health problems were reported at significantly higher rates among owners of former CBE breeding dogs than for matched controls. This may simply reflect standard health care while in the CBE; however, adverse effects of stress on physical health are well-documented (Riley, 1981; Weiss, 1972) and numerous studies in humans and other animals have determined that exposure to chronic stress or traumatic events is associated with poor physical health and increased susceptibility to disease (Broom and Kirkden, 2004; Krause et al., 2004). Such effects may act over lengthy periods: longitudinal research shows that adverse and traumatic childhood experiences may impair physical health into adulthood (Edwards et al., 2003).

4.2. Inadequate socialization

The second major potential cause of many of the signs observed in the dogs in the present study is inadequate socialization and/or insufficient exposure to environmental stimuli during the first few months of life. The sensitive period for socialization occurs during the first 4 months of life (Scott and Fuller, 1965; Serpell and Jagoe, 1995), and, with rare exceptions, CBE breeding dogs are themselves conceived, born, and raised in CBEs, and live in CBEs throughout their sensitive periods (Hughes, personal communication, 2009). Various early experimental studies have demonstrated that young dogs reared in socially and environmentally impoverished conditions during the first 4–6 months subsequently have great difficulty adapting

to novel environments. Dogs reared entirely in kennels, for example, exhibit a condition—sometimes known as ‘kennel-dog syndrome’—characterized by extreme fear and timidity when subsequently exposed to unfamiliar social interactions or environments (Clarke et al., 1951; Melzack and Thompson, 1956; Panksepp et al., 1983; Scott and Fuller, 1965; Serpell and Jagoe, 1995). Other studies have indicated that pups that are socially isolated from 3 days to 20 weeks of age are disturbed for life (Agrawal et al., 1967) and have impaired learning ability (Melzack and Scott, 1957). These effects of exposure to restricted early rearing conditions are usually extremely persistent and resistant to rehabilitation (Panksepp et al., 1983), an outcome that may be due to irreversible alterations in the structure and complexity of the developing brain (Serpell et al., 2006).

As a group, the CBE dogs in the present study exhibit a variety of abnormal behaviours consistent with the effects of poor socialization and stimulus deprivation in early life (Freedman et al., 1961; Scott and Fuller, 1965; Serpell and Jagoe, 1995). These include extreme fear responses to anyone or anything unfamiliar, compulsive or stereotypic behaviours, and reduced trainability (due to either cognitive deficits or an inability to relate properly to humans). Other unusual aspects of their behaviour, including exceptionally low levels of aggression, chasing small animals, energy and excitability (reactivity), and increased touch sensitivity, fear of stairs, and house-soiling, could also be plausibly attributed to lack of relevant environmental experience during appropriate sensitive periods in early development (Serpell and Jagoe, 1995).

4.3. Other potential causes of psychobehavioural abnormalities in former CBE dogs

In view of the fact that the prenatal life of breeding dogs occurs in CBEs, the conditions and events during this period may play a role in the psychological development of the fetus. The effects on the developing offspring of stress experienced by the pregnant mother have been the subject of a large body of research. Offspring of pregnant animals exposed to various stressors have been documented with neurohormonal dysfunction (Seckl, 2004) and dysregulation of the HPA axis (Dickerson et al., 2005); abnormal response to (Henry et al., 1994), increased sensitivity to (Mastorci et al., 2009), and impaired ability to cope with stress (Braastad, 1998); exaggerated distress responses to aversive events (Morgan and Thayer, 1997); impaired learning (Nishio et al., 2001); abnormal social behaviour (Clarke and Schneider, 1993); increased emotionality and fear-related behaviour (Lehmann et al., 2000) and fearful behaviours that increase with increasing age (Dickerson et al., 2005); increased susceptibility to pathophysiological outcomes when further adversity occurs during adulthood (Mastorci et al., 2009); and behavioural deficits and molecular changes in the offspring similar to those in schizophrenic humans (Lee et al., 2007).

Longitudinal research in humans shows that adverse and traumatic childhood experiences—or, early life adversity (ELA)—impair mental and physical health into adulthood (Edwards et al., 2003). Studies in humans have identified ELA as a major risk factor for many serious adult

mental health problems, such as unstable social relationships and anxiety and depressive mood disorders (Heim et al., 2002; Shea et al., 2005). Evidence from studies of human (Edwards et al., 2003) and nonhuman (Ladd et al., 2000) animals supports the thesis that ELA has extensive and enduring effects with strong correlations to the development of psychopathology later in life. Several rodent and primate models of ELA, including those that model maternal separation or loss, abuse, neglect, and social deprivation, have demonstrated that early experiences of major adversity are associated with long-term alterations in neuroendocrine responsiveness to stress, emotional and behavioural regulation, coping style, cognitive function, quality of social affiliations and relationships, and expression levels of nervous system genes shown to be associated with anxiety and mood disorders (Cohen et al., 2006; Sanchez et al., 2001).

Canine studies of the long-term effects of ELA are scarce. In their influential work on behavioural genetics in dogs, Scott and Fuller (1965) wrote that “the emotional sensitivity of the puppy during the period of socialization suggests that this period might also be a critical one for permanent psychological damage.” Subsequently, Fox and Stelzner (1966) were able to demonstrate a short period at approximately 8 weeks when puppies were hypersensitive to distressing psychological or physical stimuli, and during which a single unpleasant experience could produce long-term aversive or abnormal effects. They concluded that during this brief period of puppyhood, dogs are particularly vulnerable to psychological damage. As a result of being raised in the CBE environment, the dogs in this study were presumably exposed to the stressors inherent in this environment during the early developmental stage of their lives. Consequently, the origins of the psychological changes recognized in this study may also be traceable to stressful events of the dogs’ early life.

In summary, multiple factors may by themselves or in combination play a contributory role in the psychobehavioural abnormalities seen in the former breeding dogs from CBEs. However, the data are unable to determine specific causative relationships.

A final, and crucial, point of discussion is that anecdotal evidence as well as unpublished data on 878 of the dogs in this study show that many of the ex-CBE dogs can and will overcome much of the increased levels of fear through dedicated behavioural therapy and extreme patience on the part of the dogs’ adoptive owners. Because of the large degree of success in rehabilitation we wish to make it clear that these dogs are not to be avoided as pets. Further, because of the fact that many of the dogs improve over time and were likely to have been in an improved state when they were entered in the study, the differences revealed in this study are possibly an underestimate of the full extent of the effects of CBE life.

5. Limitations

It is important to acknowledge the potential limitations of the current findings. Both CBE ex-breeding dogs and matched control samples were self-selected and may therefore be unrepresentative of the populations from

which they were drawn. Also, while every effort was made to match the pet dog and CBE samples, participants were recruited in different ways, and the samples differed from each other in other important respects (e.g., reproductive history, etc.). These differences may have contributed in unknown ways to the observed differences in C-BARQ scores. We also cannot rule out the possibility that a small proportion of the dogs in the matched control sample came originally from CBEs. However, if some of the controls were formerly from CBEs, the expectation would be that this would create more overlap between the two populations, thus reducing the size of any observed differences. Therefore, if anything, the differences reported in the present study are conservative estimates of the effects of being former CBE breeding dogs. In addition, the adoptive owners of former CBE breeding dogs were aware of the purpose of the study and may therefore have been sensitized to, and more likely to report, any unusual behaviour of their dogs when compared to the pet owners.

6. Conclusions

Substantial anecdotal evidence suggests that the welfare of dogs in commercial breeding establishments (or puppy mills) is poor, but scientific evidence has heretofore been lacking. By demonstrating that dogs maintained in these environments were reported to have developed long-term fears and phobias, compulsive behaviours such as circling and pacing, possible learning deficits, and are often unable to cope fully with normal existence, this study provides the first clear quantitative evidence that dogs confined in CBEs for breeding purposes demonstrate impaired mental health and, as a result, diminished welfare.

Role of the funding source

No funding (other than the first author's employment compensation) was provided for this study. The first author's employer, Best Friends Animal Society, played no role in study design; in the collection, analysis, and interpretation of data; in the writing of the report; or, other than authorization, in the decision to submit the paper for publication.

Conflicts of interest

The authors declare that no conflict of interest exists in which any author or authors' institution has a financial or other relationship with other people or organizations that may inappropriately influence the authors' work.

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Testimony of Heidi A. Cregor, President of the Kerry Blue Terrier Club of Hawaii, in opposition to S.B. 414

The stated purpose of this bill is to regulate large scale, profit driven canine breeding operations. My fellow club members, who aren't profit driven canine breeding operations, would be adversely impacted by this bill.

I have previously provided testimony to committees in the previous legislative session opposing S.B. 2492 and 2494 and H.B. 108. It had appeared that the committees had recognized the infirmities in the previous Senate Bills and were taking appropriate action to limit their broad-brush, overreaching effect and to study further the matter. The current draft of S.B. 414 simply revives the previous bills.

S.B. 414 defines a dog breeder simply by the number of dogs owned without regard to whether or not the owner actually breeds dogs or sells puppies. This numbers only definition results in unnecessary licensing requirements and fees. It triggers space requirements for the housing of the dogs that have no basis in any established standards and further triggers warrantless searches of the owners' homes.

I and my organization, The Kerry Blue Terrier Club of Hawaii, oppose cruelty to animals, including "puppy mills", whose only purpose in life is the production of puppies for profit. These mills are antithetical to everything I and my fellow "dog fanciers" stand for. I abhor these mills and support their being put out of business, yet, that this bill "paints with too broad a brush" and will damage those of us who truly promote the best interests of our dogs and our breeds.

It is well known that the very best puppies for pets, for show, for obedience and other dog related events and competitions come from the small "mom and pop" breeders. We are the people who breed for the sheer love of dogs and improve our breeds, by gradually breeding better, stronger, healthier animals, free of genetic diseases, defects and temperament shortcomings. As hobby breeders we do it for the love of dogs and profit is not our motive. Most of us don't even break even on a litter of puppies, and we do not sell through pet stores. We get our reward when one of our puppies (usually no longer owned by us) goes on to win a Best in Show, or High in Obedience trial, or field trial champion or, simply earns us the congratulations of our peers. The puppy you buy from a hobby breeder, has had hours of individual attention lavished upon him. We stand behind our puppies and most provide some type of guarantee to the buyer. If the puppy is not show quality, or more accurately, not of a quality to genetically promote the breed, we have the option under the rules of the American Kennel Club, to sell the puppy with a limited (cannot be bred) registration.

Most of us are very small scale, often going years between litters and only breeding when the time is right in all respects. I myself have had only one litter, yet I am considered a breeder by my peers. Even for small scale hobby breeders like me, the provisions of this bill can be too restrictive and oppressive. Having a **number limit**, like ten intact dogs may sound like a lot - but in order to be eligible to enter a dog show, the dogs must be intact. It should be no surprise that we don't discard our older dogs as they retire from the show ring. Many of us have several well-loved retired dogs enjoying our backyards. So, a litter of puppies can really run the numbers up, especially in some breeds that have large litters. Yes, most pet dogs are gone by four months of age, but a good responsible breeder will often keep better show prospect puppies much longer to see how they develop before selling them. And, yes, these puppies continue to receive the same

time and attention lavished upon them until they move on out. The bottom line is that the **time limits** set forth in this draft bill can squeeze out the most responsible breeders.

This bill has also revived **warrantless inspections**; but you must recognize that among people in my category, *our "kennels" are our homes*. An inspection, or search, of our "kennels" would likely intrude into our very bedrooms, a real civil rights issue.

I applaud your attempts to abolish puppy mills but this is not the way to do it.

I support last year's HCR 141 which would establish a task force to draft appropriate legislation.

SB414

Submitted on: 2/24/2013

Testimony for CPN/WAM on Feb 27, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kaye	Cavalier King Charles Spaniel Club of Hawaii	Oppose	Yes

Comments: Testimony opposing SB414 SD1 Senate Committees on Commerce and Consumer Protection and Ways and Means Wednesday, February 27, 2013 9:45am Conference Room 229 A so-called "puppy mill" in the eyes of the general public is a dirty commercial business with hundreds of dogs kept stacked in disgusting conditions with the only motive being profit. This is the picture that supporters of this bill wish you to see, is posted online and in propaganda. This is the sympathy vote. However, If you pass out SB414 you are condemning small, home hobby breeders, the residents of this state, and painting them with the same brush. A labrador or golden retriever can have a litter of 10 or more puppies. If that hobby breeder owns three females and a male, then has one litter and keeps them past the age of four months to see which they wish to keep to participate in conformation showing or performance activities, they would then fall under this bill's definition of "dog breeder" and the conditions required under this bill are not physically possible to maintain in a personal residence. Ask us, we can give you many examples. Hobby breeders are important in Hawaii since we have strict quarantine laws. Dogs cannot be driven across state lines and to import a dog to Hawaii requires much time and a lot of money. It is the hobby breeder who is concerned with the quality of the dogs they breed and spend the time and money to produce healthy dogs that conform to breed standards so that purchasers know exactly what they will have when the dog is grown. Shelters will always exist due to careless people who do not care for their animals, do not neuter them or protect them from unwanted pregnancies and regulating decent law abiding hobby breeders won't make that problem disappear. The result would be only mixed breed dogs with no information on the health or conditions of their birth or background would be available for pets in Hawaii from shelters. This bill does not regulate just "large scale breeders", it will completely halt the breeding of standardized dogs in this state as the fear factor from unannounced raids of personal residences to see if a dog breeder has "10 intact dogs" by state agencies is not something most of us wish to contemplate. You may think these numbers are reasonable now and people who are home breeders shouldn't argue against, but Animal Rights organizations would only have to get a one word amendment passed in a subsequent year to decrease those numbers to "one" intact animal and then anyone in this state who breeds a small dog with a litter of two (such as myself) would be considered a "puppy mill". Is that really the way to solve this problem? This bill was written without the slightest input from the experts in dog breeding - the residents of this state who spend their lives and much of their money raising and loving their dogs. If you really want to solve this problem, put this bill aside AGAIN this year and speak with people who know what they are talking about, the dog breeders who are RESIDENTS

of Hawaii. The numbers posted in the preamble to the bill are set forth to make you believe there are huge numbers of commercial breeders in the state, not true as even the State Auditor said. I have spent a lot of time looking at these ads as you should as well. The vast, vast majority of these ads are placed by individuals selling puppies they bred themselves, look the email addresses, the telephone numbers. These are not commercial breeders with hundreds of even dozens of dogs. They are your constituents, raising puppies in their homes. Thousands of people are being urged by email to submit testimony by Animal Rights organizations without the slightest idea of what is actually in the bill, nor do they have any idea of the consequences of no longer having responsible dog breeders to supply the puppies which the populace clearly wants given the number of homes in Hawaii with pets. It is described by HSUS as a "simple" bill when nothing could be further from the truth. Regards, Kaye Walsh

SD 414 SD 1

The Hawaiian Chinese Shar-Pei Club respectfully submits it's testimony in opposition to SB 414.

We are tempted to begin by saying , "Here we go again," in regard to the issue of dog breeder legislation. Every year, our club members, and hundreds of dog fanciers around the state of Hawaii, must face the HSUS and others insistence that we be regulated "*out of business.*" As if, breeding dogs in Hawaii is a **business** for any of us speaking to you today. We, who are hobby breeders, enjoy breeding, training and showing our dogs. We are members of the largest breed registry in the United States of America. All of us oppose this attempt to mico manage our hobby!

Every year, you hear bill after bill trying to mico manage the dogs, and their breeders in Hawaii. Every year, we muster our best defense against these out of state, and out of touch organizations, with lots of money to lobby you. Why trust them at all? Why not listen to us? We live and work here, we pay our taxes and we love our dogs and our hobby.

All these pages of SB 414 seem to profess an understanding of just what we should be doing and just how we should be doing it! Owning more than ten female dogs, attempting to force the veterinarians of Hawaii to become breeding program experts, making the local Humane Societies the "officers" of control is sheer nonsense!

Think about it – you want our homes and yards and buildings open to inspection. You want vets to tell us what to do with our dogs. The attempt to regulate the lives of our pedigree dogs from the age of twelve weeks to death is absolutely impossible! If this bill succeeds, dogs will be measured for height, examined for breed propensities to determine exercise requirements, figure out the number of litters they may have and when they may have them, limit their numbers altogether, and charge fees (taxes) to simply exist!

Please consider the plea of those of us who enjoy this hobby. Please consider that those filing these bills against us are not supported by either the American Kennel Club or the Cat Fanciers Association.

If you continue to consider these onerous bills, if you allow passage of them, you will eliminate the pedigree dogs and cats from our state.

We urge the committee not to adopt SB 414. We appreciate your time and attention.

Yours in dogs,

Charlee Abrams, President

Hawaiian Chinese Shar-Pei Club

As a veterinarian who frequently examines both intact female dogs used for breeding as well as puppies resulting from such breeding, I strongly support measure SB414 SD1. The responsible and humane breeding of dogs requires thorough education and accountability. This measure could help to prevent many instances of animal cruelty, neglect and abuse by holding breeders to certain minimum standards of care.

The sorry condition of dogs used in “puppy mills” has been widely publicized. Furthermore, puppies born to these indiscriminate breeders may be unhealthy, as lacking proper prenatal and neonatal care predisposes them to a variety of potentially fatal infectious diseases. They may also be born with congenital defects as a result of poor breeding practices. Not only does animal suffering take place, but these puppies may also be sold to unwary consumers via intermediaries such as pet stores.

Hawaii also has a pet overpopulation problem with thousands of unwanted pets euthanized every year at local animal shelters. Despite this, unregulated breeders continue to contribute to the problem of pet overpopulation. They may seek buyers for their puppies over the internet or sell them to pet stores. By regulating and licensing breeders, the number of breeders may be discouraged.

As a veterinarian I support the responsible and careful breeding of dogs to ensure the health and welfare of dogs and offspring. I believe this measure can support these goals.

Please note that these views are strictly my personal opinion and do not reflect the views of my employer.

Lydia Lam, Individual, Support

SB414

Submitted on: 2/25/2013

Testimony for CPN/WAM on Feb 27, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Golden Retriever Club of Hawaii	Golden Retriever Club of Hawaii	Oppose	No

Comments: The Golden Retriever Club of Hawaii Rescue and Breeder Referral Program strongly opposes SB414 SD1 which would require Commercial Dog Breeder Licensing. This same bill was considered last session, died in the House, and now has been included as a SD1 in yet another "gut and replace". The lack of public input as well as transparency in passing this bill through the legislative process is shocking. Our question would be: if this law was in place when the Waimanalo Puppy Mill existed, would the outcome have been any different? How? Our understanding is that the owners of the Waimanalo Puppy Mill were shielded by a corporate "umbrella". They were convicted of over 150 animal cruelty crimes with the current laws. It took two hours to obtain a search warrant to gain access to the property. The owners walked away from any civil restitution or criminal consequences. Why is that? Please address the real issues rather than develop unenforceable, unreasonable, and perhaps unconstitutional regulations. Our club, as well as other breed clubs, has offered to come together in a task force to discuss puppy mill legislation. All stakeholders should be allowed to work together to develop legislation which addresses animal neglect and cruelty. Please hold this bill.

Theresa Donnelly SUPPORT

Dear Sen. Baker, Sen. Galuteria and other members of the committee on Commerce and Consumer Protection and Sen. Ige, Sen. Kidani and other members of the committee on Ways and Means,

My name is Theresa Donnelly, and I am a volunteer with many national and local animal nonprofits. Previously, I was an officer with a local Boxer dog club and the owner of Hawaii Military Pets, an online educational resource for Hawaii Military families.

I am writing to you to express my support for SB 414 SD1, relating to commercial dog breeders.

Currently, the state of Hawaii has no way for animal control officers to check for minimum standards of care in large-scale breeding facilities. These common sense provisions are ones that any responsible and loving breeder already does. In fact, the breeders I have had the privilege of obtaining dogs from and known who bred with love, purpose and care already go above and beyond these minimal guidelines.

I realize some may say they feel their personal freedoms are infringed upon. I ask all of those people to look for ways to make it work and to consider making sacrifices for the benefit of society as a whole. Sometimes for the greater good of protecting all animals, we must as a society be willing to have some regulation, especially when we know the incredible suffering animals are enduring because no common-sense guidelines exist.

It's so easy to embrace a culture of no, but **isn't animals suffering in deplorable breeding conditions worth finding a solution?**

I challenge those entities and the opposition you'll no doubt hear from on this bill to look for ways to make it work. Look for a way to increase dialogue and understanding so that the greater goal of protecting animals from the cruelty of puppy mills in Hawaii is one day not a dream, but an actuality.

I ask all of those in this committee to find it in their hearts to look past the opposition and find a way so that our dogs are protected. Then one day our community will take *meaningful* steps to hold those who abuse animals accountable for their atrocities towards our society's most defenseless creatures.

Thank you for your time in reading my testimony.

Theresa Donnelly

Hawaii is but one of a few states that has no laws or regulations for large scale commercial dog breeders. This is sloppy governance and must be rectified. Hawaii has a huge problem with stray animals and pets who suffer from neglect. Irresponsible breeding contributes to this issue by adding animals to the population here in Hawaii. Many animals bought from breeders and pet stores end up discarded at shelters or abandoned on the side of the road.

With SB 414, we have the opportunity to protect public health and safety. Public health and safety will improve because fewer dogs and cats will roam, spray, display aggressive behavior and potentially spread disease. With fewer unwanted stray animals in our communities, funds that would ordinarily go towards impoundment and euthanasia of animals could be re-directed to other animal welfare needs in the community.

With SB414, we have the opportunity to reduce animal overpopulation and suffering. If you can imagine the animals that many of us involved in animal welfare work have found thrown into dumpsters, tied up in abandoned buildings or starving on the side of the road, you would understand the urgency of passing this legislation.

Please let me know as a concerned constituent whether or not I have your support with regard to these bills and if not, please let me know your concerns and what additional information I can provide to alleviate those concerns and garner your support.

Thank you for your time and attention.

Lucia You

A short summary of key points in SB414 follows:

One of the intents of this law is to protect dogs in large-scale Breeding facilities.

“The legislature further finds that a law is needed to ensure that dogs at large-scale breeding facilities receive sanitary living conditions, proper and timely medical care”

The next line indicates that everyone breeding must become licensed.

“(a) It shall be unlawful for any person to own or operate as a dog breeder unless the person obtains a valid license”

Then because they are licensed, those individuals somehow have MAGICALLY RELIQUISHED THEIR RIGHTS TO SEARCH AND SEIZURE.

“A dog breeder licensee shall make its premises available for unannounced inspection by the county or the county's contracted designee, pursuant to sections 143-15 and 143-16, during regular business hours.”

“llPremisesll means the location of property, whether private or public, upon which buildings, yards, kennels, pens, and cages are used by a dog breeder in the usual course of business.ll”

The bill goes on to explain the penalties for all the seized animals:

“The seizure and impounding of all unlicensed dogs,

- (3) The destruction or other disposition of seized dogs

Somewhere along the way here the authors have lost sight of the welfare of the animals involved. And they have also lost sight of our rights as citizens. I have listened with a great deal of interest when some of our legislators have complained about the “broad interpretation of our bill by a certain administration”. I have also listened about “frivolous claims, absurd consequences, and the taking away of due process”.

It does not take a great deal of study to see how SB414 severely infringes on our Fourth Amendment rights. Yes the Fourth Amendment allows for exceptions, but usually it occurs when the greater good of the population will be harmed to such an extent that society at large will suffer. I somehow fail to see how the breeding of dogs meets that litmus test, that it justifies seizure of property, destruction of property, warrant less search, and the lack of other checks and balances that we

should expect as citizens. (Search and seizure is usually handled by the courts before it is permitted to occur >>> and then it occurs under very controlled circumstances, usually with law enforcement present >>> why is this procedure omitted in this bill?)

Please do not support a bill that will difficult to enforce fairly, weaken our Fourth Amendment rights, and loses sight of the animals that it seeks to protect.

RESPECTFULLY,
Gerald Luke
1464 Kaminaka Drive
Honolulu, Hawaii

ELIZABETH RICE GROSSMAN
1240 MOKULUA DRIVE
KAILUA, HI 96734

To Whom It May Concern:

I strongly support SB414. Hawaii needs regulation of commercial dog breeders to protect the parent dogs and puppies. Too many animals have been abused, and it is time that we pass legislation to protect those animals that have no one else to protect them.

I respectfully request that SB414 be passed with haste.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Elizabeth Rice Grossman", with a long horizontal flourish extending to the right.

Elizabeth Rice Grossman
808 388.3978

February 22, 2013

SB414

Submitted on: 2/20/2013

Testimony for CPN/WAM on Feb 26, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Bonnie Osaki	Individual	Support	No

Comments: • We have historically advocated for the regulation of commercial dog breeders to effect the humane treatment of both the parent-dogs and puppies; • With animal welfare being the primary concern, the Hawaiian Humane Society supports a uniform standard of minimum care and treatment of animals; • The growing puppy industry makes it vulnerable particularly without rules and regulations on what the standard of care is; o According to the Hawaii Data Book, 2011, the pet industry amounts to nearly \$96 million; and o The Hawaiian Humane Society has executed an internal tracking of puppy sales in Oahu where, in a mere 8 months, there have been almost 2,000 puppies advertised on just three websites, the sum of which amounts to nearly \$2 million; • With such a financial motivation, the puppy industry should be regulated not only to protect the animals but also to protect the consumer.

SB414

Submitted on: 2/21/2013

Testimony for CPN/WAM on Feb 26, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Galvin	Individual	Support	No

Comments: I support the uniform minimum standard of care for commercial dog breeders. Also, these breeders should be required to get licensed with the state. Enough already with the cruel conditions these helpless animals are left to endure for an individual's monetary gain. We are a land of aloha and are taught to care for one another. Let's set a standard of morality. Mahalo for your time & consideration.

SB414

Submitted on: 2/21/2013

Testimony for CPN/WAM on Feb 27, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Violet Murakami	Individual	Support	No

Comments: I am writing to you to express my support for SB 414, relating to commercial dog breeders. In a report published in April 27, 2000, the Humane Society of the United States wrote "The documented problems of puppy mills include: overbreeding dams(female/mother dog), inbreeding, minimal veterinary care, poor quality food and shelter, lack of socialization with humans, overcrowded cages and killing unwanted animals." Adult dogs are kept at puppy mills for only one reason, to reproduce for profit. This bill will help to not just professionalize the dog-breeding industry but also hold them accountable to guidelines and standards that take into account the care of the dogs and puppies they are breeding. It will help ensure that female mother dams and puppies are more properly taken care of and that customers who buy these puppies are more likely to get a healthy puppy. Although I am not able to attend in-person because I live on a neighbor island and cannot afford the time and money to attend these important hearings – I am still compelled to provide testimony in support of this important bill on-line and appreciate the opportunity to do so. Thank you, Violet Murakami

SB414

Submitted on: 2/23/2013

Testimony for CPN/WAM on Feb 27, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Christine Russo	Individual	Support	Yes

Comments: I strongly support SB 414. Without regulations in place, commercial dog breeders will continue to commit acts of animal cruelty. A very explicit example of what can happen without regulations in place to monitor commercial dog breeders was brought to light in 2011 with the Waimanalo Puppy Mill Case. Fortunately, the Hawaiian Humane Society was there to rescue these abused animals; however, the burden it put on them was unnecessary and could have been avoided had regulations been in place to control abusive conditions within the commercial dog breeding business. It is vitally important that we put measures in place to ensure that animals in the care of commercial dog breeders are treated humanely. More specifically, these animals should be entitled to regular exercise, sufficient food and clean water, sufficient housing and shelter, sufficient space for movement, and sufficient veterinary care so that any medical issues are addressed promptly and handled with care and compassion. Thank you for this opportunity to testify in support of SB414.

February 26, 2013

To: Committee on Commerce and Consumer Protection

Senator Rosalyn H. Baker, Chair
Senator Brickwood Galuteria, Vice Chair

Committee on Ways and Means

Senator David Y. Ige, Chair
Senator Michelle N. Kidani, Vice Chair

Re: Bill SB414 SD1-Relating to Commercial Dog Breeders

Hearing February 27, 2013 @ 9:45am

Aloha Committee Members,

We have been in business for 39 years on the Windward Side of O'ahu. The families that we acquire our puppies from are in no way a definition of a "commercial dog breeder". These people have pets that had puppies, and trust us in finding homes for them.

We support appropriate standards of care for dogs and greatly support the end of puppy mills because of the horrible conditions that these animals live in. However, we oppose this bill because there are factors in it which is excessive and unclear.

The amount of dogs one has does not define the quality of care they are given.

There is no fee noted for the licensing/registration of commercial dog breeders. If there is one, it should be reasonable. Having this type of regulation may encourage breeders to operate underground which would be a detriment to these animals as well as the consumer.

Enforcement is questionable as to the need for manpower to make this possible. We have laws already in place that need to be enforced.

Unannounced visits are a violation of personal property. We feel that these visits should only be done if it is complaint driven.

In short, what this bill will do is eventually trickle down to anyone who has puppies and eventually all animals. We commend the Hawaiian Humane Society and other Rescues with all that they do for animals. We don't discourage anyone from adopting a pet, but we do provide them the OPTION to buy if they can't find what they are looking for. The HSUS has been trying to control and micromanage the pet industry. Please prevent this from happening so we can all enjoy the benefits of having a pet before it disappears.

Respectfully,

Koolau Pets

Tuesday, February 26, 2013

To: Senate Committee

Re: SB 414, SD1

Dear Committee Members:

As I stated in my opposition to SB 414 in its original form, I believe there should be a standard of care for all pet owners, however, I strongly oppose any legislation that includes a set limit on the number of dogs a breeder may own. There is no correlation between how many animals a person possesses and the quality of care those animals receive. This is where our concern should lie and we already have laws in place to outline appropriate care standards. I believe this bill would not only be hard to enforce, it is wasting an excessive amount of taxpayer money to continue resurrecting this same bill, over and over again, with a new Senate Bill and/or House Bill number. Let's enforce the laws already in existence instead of continuing to procrastinate and debate over another bill aimed at taking away the rights of law-abiding citizens who take appropriate care of their animals. Let's punish the guilty appropriately and not waste time, energy and money on regulating everyone else!

I implore you to listen and weigh what your constituents have to say, along with your own opinion and then make the right choice for Hawaii pet owners, Hawaii pets, and Hawaii's economy.

Respectfully submitted,

Debbie Baker
Owner/Member
The Pet Hale
and

Constituent of Senator Maile Shimabukuro and Representative Jo Jordan

SB414

Submitted on: 2/26/2013

Testimony for CPN/WAM on Feb 27, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Nicholas Bolosan Shenn	Individual	Oppose	No

Comments: We should not have to pay fees to the humane society just because they wanna violate our rights by passing this bill so they can come unannounced to our property to decide on their own terms if its up to their own standards. We people in Hawaii should not have a limit on our own pets or being forced to have a bill like this passed which will not help at all just waste more of our state money which we shouldn't be wasting on a dumb bill like this, when in fact the money put towards tryna get this bill passed should help our schools or local parks

TESTIMONY IN OPPOSITION TO SB414 SD1

Testimony from: Twylla-Dawn Steer, Voting resident of Kailua, 42+ years
Hearing: Senate Committees on **Commerce and Consumer Protection**
and **Ways and Means**
Date & Time: February 27, 2013 @ 9:45 am, room 229

I oppose this legislation; here's why:

The current proposal fails to address animal cruelty; proposing in its place, a plethora of special dimensions and timelines that can no more stop cruel behavior than Congress can agree on parameters of fiscal restraint.

This begs the question: What if there are only 9 intact pregnant breeding females? Or eight? Animal cruelty can be one or multiple heinous acts; its not about body counts, its about misguided human behavior and such cruelty doesn't only occur when the magic number of 10 animals are counted. It begins with one.

It might be more 'profitable' to put teeth into the current animal cruelty laws, instead of confusing the identity of occasional hobby breeders with the former Waimanalo puppy mill operation.

I always wondered how videographers were on the Waimanalo site so quickly to videotape this horror. I don't believe in coincidences; neither should you - that video opportunity was well orchestrated.

If large-scale commercial dog breeders abound, why hasn't the public been inundated with reports about these establishments?

I know it's been only since last March 2012 when I looked at the amendments to the US constitution, we still haven't lost 4 and 14 anywhere, so are we going to go along with SB414 and ignore probable cause and due process?

Even if the counties could begin to look at administrative structures to monitor and license large-scale breeders, there may not be enough of these breeders to warrant the expense. Using the hype from the Hawaiian Humane Society, the following was cited: "there were 1,689 puppies advertised on three popular internet sales websites, which amounted to over \$1,700,000 in sales". Advertised doesn't necessarily equate with actual sales or a glut of large-scale commercial dog breeders.

The auditor's report No. 11-02 released in October 2011, *Sunrise Analysis: Large-Scale Dog Breeders and Facilities* recommended alternatives to licensing breeders given lack of information on how much licensing and cost of monitoring would be. Marion Higa's report, suggests:

Instead of creating detailed operational requirements in the statutes, it may be more appropriate to authorize the oversight and enforcement agency to administer properly adopted rules and regulations.

Testimony from: Twylla-Dawn Steer, Voting resident of Kailua, 42+ years page2

The **ILIO** magazine publishes guidelines for responsible breeders that outline prudent, practical, responsible practices for breeders and puppy buyers. Please support rational behavior and decision-making, rather than SB414.

And finally, we have far greater concerns and major challenges to our economy, environment, institutions, and the freedoms we take for granted, that still need your attention.

Thank you, for this opportunity to submit written testimony opposing SB414 SD1.

Twylla-Dawn Steer

Affiliations:

Secretary, Hawaiian Kennel Club, AKC member club (>60+ voting members)
President, Hawaiian Hound Association, AKC licensed limited breed club (>30+ voting members)
Obedience Training Club of Hawaii, AKC member club (>300+ voting members)
Rescue liaison, Irish Wolfhound Club of America

Profession:

Data/Curriculum Coordinator, `Aiea High School
483-7300 x255

618 Paopua Loop
Kailua, Hawaii 96734
261-8096

POST SCRIPT

This piece of legislation is simply a reminiscent train wreck from SB2494 last year.

I still abhor animal cruelty of any stripe: I find this piece of legislation to be equally abhorrent. It should be deferred, duly processed in the nearest shredder and recycled into mulch to improve soil quality.

Last year the legislature, wisely decided against determining who should make judgments about what animals, if any, should be bred, and made sure this measure did not go to conference committee. A repeat action is in order.

SB 414 SD 1

Testimony in Opposition

I am Lynn Muramaru and I am a breeder of AKC registered Miniature Schnauzers and Border Terriers. I've been involved in the sport of purebred dogs since 1984 and am a member in good standing of several national and local AKC dog clubs. I am also an AKC approved judge.

My profession is social work. I have been a licensed social worker in this community for over 30 years and have handled many cases over the years involving child abuse, elder abuse, and domestic violence. I know abuse and neglect. I do this for a living. I feel strongly enough of this issue to rearrange my work schedule to come to the capitol to testify on this bill because this bill has the potential to inflict too much collateral damage to innocent people who love their dogs.

Every person submitting testimony in opposition LOVES dogs! I personally know almost 100% of each person who has written in opposing this bill. We as a dog community participate in activities that promote dogs in a positive light providing thousands of hours of volunteer work that include obedience training (the #1 was to keep a dog from entering the shelter system), rescue work (we fostered and helped to rehome the Waimanlo pups too!), and education on responsible dog ownership. We provide breed education and rescue work for dogs we did not even breed! Dogs, through our efforts, that did NOT enter the shelter system! WE are the stakeholders that this bill (as proposed) will directly affect! We will NOT be made to feel ashamed by organizations like the Humane Society of the United States or Animal Rights Hawaii! We are PROUD to be dog breeders!

The intent of this bill is to regulate LARGE SCALE COMMERCIAL BREEDERS. Since 1996, there have been only 2 cases of animal abuse involving large scale breeders. Bradley International (Vernon Luke/150 dogs) and James Montgomery (60 dogs). Two rotten apples do not make all of us bad!

Supporters of SB 414 state that **minimum standards of care** are needed. There **ARE** minimum standards of care as outlined in HRS 711-1100! This law covers ALL Hawaii pets!

Supporters state that consumers need to be protected. WE (the purebred dog community) do our best to educate the general public on how to purchase a purebred puppy BUT people will do what they want to do! IF the public listened to all of us, the Aloha Pet Shop in Aiea would be forced to shut down for lack of business. Also because we are dealing with living creatures, breeders of any type of animal cannot guarantee against ALL types of diseases! Whether or not any animal develops a disease such as hip dysplasia is not dependent solely upon genetics. Food, activity, access to veterinary care AFTER purchase all impact upon disease development. Thinking that regulating breeders will prevent all diseases is very flawed logic!

The author of this bill defines a commercial breeder purely as a specified number of intact dogs with the **INTENT** to breed. We in opposition feel this definition discriminates against the hobby breeder. Every dog I own fits the definition but I have no intention of breeding them. We hold on to our dogs longer (a couple of years) before we can do the required health testing our breed standards call for **BEFORE** they

are bred. I'm sorry but the public can't have it both ways! **You can't penalize us for the number of dogs it requires to have a successful breeding program AND define the breeding stock as intact dogs over 4 months of age!**

Hawaii already has laws on the books governing numbers of dogs and ownership. Oahu says 10 dogs per residential property. HRS §711-1109.6(1) is related to animal hoarding and currently defines "hoarding as 15 dogs/cats AND failing to provide necessary sustenance for each animal". We are in opposition are against definitions using numbers because **numbers are easily amendable to be lowered over the years**. Hawaii's hoarding law is a prime example because the original law defined hoarding as 20 animals and it was lowered to 15. LA county and Las Vegas are prime examples of how number of dogs permitted were eventually lowered to 2!

Another consequence of the passage of breeder laws that have passed around the country is the **"bounty" on unlicensed breeders** that organizations like the Humane Society of the United States have put on the heads of breeders. Bounties like these encourage harassment of responsible dog owners. When the laws regarding cockfighting and dog fighting were enacted here, the bounties funded by the HSUS appeared. The HSUS funds the "snitch fund" in Texas HB 1451. This Texas law has resulted in innocent breeders being harassed by animal protection extremists who are filing anonymous complaints which trigger animal control to make unannounced inspections. **These breeders are then forced to prove that they are NOT required to be licensed and do NOT possess more than 10 intact animals!** Think it won't happen here? I think NOT!



There is a need for the local pet shop and I certainly don't want to see the mom & pop shops go out of business. There **IS** a market for puppies, a market that we in opposition cannot fill nor do we want to

fill. If the public wants a particular breed of dog that can't be purchased locally, people will and do import them from outside of Hawaii. The Hawaiian Humane Society stated in their own study that only 23% of people acquired their pet from a pet shop, breeder, or via the internet/newspaper. 43% of people in their survey acquired their pets from family or friends. This is the #1 source for pet acquisition!

I fail to see how the legislature can call dog breeding a 9.4 million dollar industry by looking at the Hawaiian Humane Society's study when the same study states that internet sales account for only 1% of the source of the public's acquisition of a pet!

This bill is FLAWED! Even the Star-Advertiser editorial of 2/9/13 stated the "Puppy mill bill needs work" http://www.staradvertiser.com/editorialpremium/saeditorialpremium/20130209_Puppy_mill_bill_needs_work.html?id=190484111 I fail to see how a bill that was part of the Honolulu City Prosecutor's package could be improved by replacing it with a FAILED bill from last session! The sad thing is that after another "gut and replace", we are not even given an opportunity to provide oral testimony on what is technically a totally new bill!

Last session dog breeders supported HCR 141 which called for a task force to bring together animal breeders and animal control organizations to craft a law we all could live with. **Unfortunately this resolution that had NO opposing testimony failed to pass!**

Dog breeders do NOT oppose meaningful legislation that would address commercial breeding facilities.

We just oppose THIS one!

Lynn Muramaru, LSW

AKC Judge

Member, American Miniature Schnauzer Club

Member, Border Terrier Club of America

President, Terriers In Paradise-Hawaii

Christopher Feld

Member, Border Terrier Club of America

Member, Terriers In Paradise-Hawaii

Constituents of Sen. Mike Gabbard & Rep. Sharon Har

February 21, 2013

From: Lisa Dangelmaier, Kurtistown, Hawaii County

RE: SB414

Writing in Opposition

Chairs and Committee Members:

I **oppose** SB414 as it places onerous and unreasonable requirements on private citizens not engaged in commercial dog breeding. The bill discourages responsible, non-profit hobby dog breeding, and imposes its regulations on persons not engaged in breeding at all. The bill's provisions are nearly impossible to be met by persons who keep dogs in their homes. Any citizen meeting the overly broad definition of "dog breeder" will be subject to the fees, requirements, and announced inspections of their private property and residences. Pets may be seized from a person's home if the enforcement agency finds an owner not in compliance with "any rules adopted" - a terrifying thought to those whose pets are valued and loved members of the family. The bill's onerous provisions and weighty consequences will certainly further reduce the already limited number of dedicated and caring hobby breeders in Hawaii. Hawaii residents looking for purebred dogs will be more likely to purchase from commercial dog breeders - here or outside the state.

The bill should exempt those who do not breed puppies for profit or who do not breed puppies at all. The bill should not violate pet-owner's rights to privacy and due process. Standards of dog care should be in line with recognized good practices for keeping of dogs.

This bill will not likely reduce true large-scale commercial dog breeding of dogs as commercial enterprises could more easily comply with the onerous regulations of this bill and absorb associated costs.

I ask all of you please to take the time from your busy schedules to read the details of this bill – and not accept it on the basis of its stated intent. The bill, whether intentionally or by accident, discourages any private citizen from keeping and breeding dogs. The bill copies language from proposals in other states that have been put forth by certain organizations that do not represent the beliefs of the majority of the public. Similar language has been incorporated in various other prior bills - provisions which are not in accordance with accepted standards for responsible dog-ownership and breeding and appear to be designed to limit dog ownership in general. The bill will be harmful to the many responsible private citizens who train and exhibit dogs in obedience and agility, keep dogs for hunting or herding, and who show dogs – activities that come with a great deal of financial benefit to the state. Discouraging responsible hobby breeders of companion purebred dogs in Hawaii will only serve to increase opportunities for larger commercial breeders. Below are some additional details regarding specific language problematic for responsible private dog ownership and hobby breeding.

- 1) Overly broad definition of “dog breeder”: The definition should be changed to apply only to large-scale commercial dog breeders. Persons need not sell or breed a single puppy to be subject to provisions of the bill, and need not breed for profit.
- 2) Unreasonable requirements for housing dogs: Apparently designed for commercial breeders with a kennel building, these would be nearly impossible to comply with by most private owners. The requirements preclude common practices in responsible dog care such as use of outside dog runs (with a dog house or shelter), and use of reasonably sized indoor crates, for any period of time; including feeding, bed time, house training, and confinement to limit activity of an injured dog during healing. The housing and shelter requirements are not to be applied to humane societies or veterinarians – apparently recognizing the requirements are excessive.
- 3) Bans microchipping puppies less than four months of age: Chipping at a young age is less traumatic and is typically done before placing in puppies in their new homes by responsible breeders who care the dogs’ future welfare.
- 4) Prohibition on use of mature sires: The bill prohibits use of a stud dog over eight years. Use of older sires provides benefits to a responsible breeding program to promote longevity and health in a breed. Commercial breeding facilities are unlikely to keep older animals.
- 5) Requires access of private property and residences, allows seizure of dogs: The provisions for unannounced inspections and seizure of animals are unreasonable and potentially unlawful, for hobbyists and pet-owners keeping the dogs at their private residences.

Thank you very much for the opportunity to submit testimony and for considering these concerns.

February 24, 2013

Dear Committee Members of the Commerce & Consumer Protection and Ways & Means,

Please oppose SB414 SD1 ("SB414 for short") as it is a crude effort to go after large scale commercial dog breeders and adversely affects responsible, hobby breeders and exhibitors. SB414 focuses on anyone who owns or has custody or control of more than 10 dogs of either sex over the age of 4 months that have intact sexual organs.

The bill imposes facility and care standards that no one on the islands currently satisfy, not even the Hawaiian Humane Society, which would be exempt. It places a 30 dog limit on dog ownership, regardless of the locale or use of the dogs, i.e., without regard for rural conditions or legitimate interests, such as hunting. It provides for county licensing of "dog breeders" and **most concerning of all, searches without probable cause.** Seizures are authorized with provisions that would allow seizures of dogs even though the "violator," by any objective veterinary examination of the dogs themselves, has taken good care of the dogs. .

SB414 authorizes seizures for an extremely broad set of technical violations of animal control provisions, which could include something as trivial as failure to procure a county dog tag or license.

Responsible breeders and exhibitors are concerned for a number of reasons. The Humane Society of the United States has pursued limits of all forms on dog ownership. Those limits typically take the form of a headcount.

Headcounts in some locales have been defined or amended downward to as few as 2 or 3 dogs. Nothing prevents subsequent amendments that would reduce the 10-dog count to the point where responsible small time breeder/exhibitors would fall within the statute.

The bill's facility and care standards are rigid, one-way-or-the-highway standards that do not reflect facility and care standards used successfully and humanely by responsible breeders (and boarding kennels, for that matter) in Hawaii. In fact, the HSUS representative admitted to me that the standards were designed simply to shut down a breeder regardless of that breeder's earnest and successful efforts to maintain happy, well-fed, and well-cared for animals.

The HSUS and Senator Clayton Hee defend the bill and the bill's unreasonable facility and care standards, by saying, "Well, these standards won't apply to responsible breeders, only to large scale dog breeders."

Unfortunately, two things cause great concern. First, statutory standards tend to become “gold standards,” and the peculiar rationale for adopting those standards in the first place become lost. Meanwhile, the new gold standard is engrafted in legislation where those rationales are inapplicable. Second, if the headcount is reduced—as the mainland experience indicates it will, these standards will become applicable to responsible breeders.

Last year, the HSUS representative, Inga Gibson, said publicly that responsible breeders have nothing to worry about, “because the facility and care standards will be enforced selectively.” The idea of selective enforcement of the laws should raise the hairs on the back of your neck. It does mine. I thought our system of justice was based on catching bad guys with fair laws fairly enforced.

The facility and care standards are in fact unnecessary. New animal cruelty standards adopted in 2010 became effective on January 1, 2011. About a month later, the notorious Waimanalo “puppy mill” operator was shut down based on those standards. The Hawaiian Humane Society noted, however, that the problem was access for inspection purposes. The Waimanalo operator shut his doors to inspection effective January 1, 2011.

One last thing, imagine the difficulties an enforcement officer will have under SB414 if it were to pass. An abusive breeder won’t bother to get a license and identify himself as a regulated breeder. The animal control authorities would have to trace “ownership, custody, or control” of ten dogs, determine their age, and determine their sexual organ status.

Last year, the members of the dog fancy and the House of Representatives called for the formation of a task force of knowledgeable “stakeholders,” e.g., veterinarians, dog fanciers, law enforcement, and animal shelters, to look into the problem. The resolution calling for the task force died in the Senate.

A task force would have brought informed minds together, to assess the situation and to formulate a legislative solution if need be. Shouldn’t legislation be based on the best available information and analysis and not on simple emotion and “by gosh and by golly”?

That’s why I am asking you to oppose SB414. I do not oppose focused legislation. I do oppose legislation by meat cleaver.

Sincerely,

Darlene Sawamura

Dog Fancier and Breeder

Committee Members,

I oppose SB414 SD1 for several reasons. I do not believe that it would be effective in preventing animal cruelty, nor do I believe that it could be enforced. It limits people to a certain number of dogs, even though the number does not relate to what kind of care that they are receiving. There are unnecessary restrictions and fees.

One reason that I feel that the bill would be ineffective in preventing animal cruelty, is the idea that dog breeding is synonymous with "animal cruelty". There are, of course, inhumane breeders...just as there are inhumane dog owners who have only one dog. Animal protection laws are absolutely necessary, but each law intending to prevent animal cruelty seems to target breeders and/or pet stores. Targeting one category of pet owners, will not affect animal cruelty as a whole. Contrary to the common belief (of many animal welfare/lobbying groups), most breeders' lives revolve around animals because they actually love them. It's very unfortunate that breeders and pet stores are unable to support animal cruelty bills, but the assumption that they are the problem makes it impossible!

This bill would also be very hard to enforce. The state does not have the funds that we would need to have enough workers to perform: inspections, fee collections, etc. A breeder could also divide the dogs between more than one property to avoid falling under the criteria of this bill. Senator Hee also expressed concern about whether or not the bill could be enforced (last year, when the idea of this bill was first introduced).

I don't think that a person should be limited to a certain number of dogs. The number of dogs has nothing to do with the kind of care that they are being given. There are abused dogs, who are the single pet of a family; others who belong to breeders. There are also families who own a dog, or breeders who own over 30, that love them and give them the proper care. It's not right that all breeders be given fees and restrictions, simply because of the number of dogs that they have.

Many of the restrictions in this bill are already laws in Hawaii. Other restrictions and regulations in SB414 SD1 are very questionable. It is very violating that a breeder could have to give out the personal information (including address) of a puppy buyer during an inspection. The fact that a breeder would legally have to euthanize a dog when the vet deems it necessary is wrong. That should be the dog owner's choice. The choice to microchip the dogs should also be the breeder's choice. Another problem is that in the phrase "Prompt treatment of any illness or injury", "illness or injury" is too broad. Not every injury needs prompt medical treatment. Most parents don't take their child to the doctor for a scraped knee, splinter, or bruised elbow. There is no guideline as to what an "illness or injury" is including. The bill would also make it illegal for a mom and her pups to be in the same area as another adult dog. These are all decisions that should be made by the breeder.

Many of the regulations in this bill involve decisions that can and should only be made in each individual circumstance. The law should not make these decisions for every breeder, just because some of them don't make the right decisions. The people that are being cruel and inhumane need to be held responsible...but everyone else in the animal industry does not.

Please don't allow this bill to be passed.

Respectfully,
Casey Baker

February 24, 2013

Committee on Commerce and Consumer Affairs

Senator Rosalyn H. Baker, Chair

Senator Brickwood Galuteria, Vice Chair

Committee on Ways and Means

Senator David Y. Ige, Chair

Senator Michelle N. Kidani, Vice Chair

Ref: SB414 SD1 Hearing date 2/27/13 at 9:45AM

Dear Committee Members,

I and my family own a small local pet store which offers puppies, as well as other pets. We also provide a full line of pet related supplies and foods. Although the families that we obtain puppies from would not be defined as “commercial breeders” by this measure, I feel the need to provide testimony in opposition to SB414 SD1. Should this measure become law, I have little doubt that, eventually, the ownership numbers being referenced will be further reduced (as is already the case since the bill was introduced) until anyone having a litter of puppies will be required to be licensed and subject to inspection.

I contest the figures included in the measure on the revenue generated by puppy sales in our state and it’s correlation to “pet overpopulation.” Having a Hawaiian Humane Society volunteer peruse Craigslist, eBay Classifieds and the local paper, and then use those advertisements as definitive sales figures is purely speculative. In addition, if so many unwanted puppies exist, why does the Hawaiian Humane Society post ads on Craigslist themselves, imploring families to turn their litters over to them rather than finding homes for them on their own (ad copies available upon request)? Studies have concluded that many animals are in shelters because they are geriatric, have other medical problems, or have behavioral issues, not simply because they found homes via a pet store.

Most of the testimony in support of this measure by the public indicates that “Hawaii needs laws to protect against puppy mills” or “it’s time we had laws against animal cruelty at the hands of breeders.” We already have these laws! The Animal Welfare Act of 1966 has been amended and improved since inception and continues to be an enforceable law. It is enforced by the United States Department of Agriculture. Standards of care are part of this law, as well as licensing, recordkeeping, and breeding regulation. The answer to laws that are not being obeyed is not to make more laws, but to enforce the current ones.

With respect to the number of animals one may own, I submit, once again, that there is no correlation between the number of dogs owned and their care. I myself come from a family with six children, a large family by today’s standards. I and my siblings were raised in a healthy, loving environment, and were never abused. I have heard of child abuse in families with one child. The current laws protecting children against abuse have nothing to do the number of children, but rather with child abuse itself.

The Department of Commerce and Consumer Affairs has already opposed this measure, stating that jurisdiction should not lie with them. They also point out that enforcement of this measure is problematic. I agree with their assessment. During last year's committee hearings relating to the original version of this bill, Senator Hee commented that all an unscrupulous breeder had to do is split their breeding stock up between two or more locations to circumnavigate the new law. This statement makes it sound as though he also questions the enforceability of SB414 SD1. This measure and countless others are continuously introduced under the guidance or direction of the Humane Society of the United States (HSUS), a mainland lobbyist group that arguably have little or no interest in supporting local shelters and provide little revenue (1% or less) to actual care of animals. Continuing to introduce measures such as SB 414, year after year, is counter-productive to any real animal cruelty reform, and a significant waste of taxpayer's money.

Despite viewpoint differences between myself and the Hawaiian Humane Society, I applaud their work providing shelter for abandoned animals. We offer their contact information, as well as that of Oahu SPCA and other shelters, to our customers in regards to their adoption services. I believe we should support them in their role against animal cruelty and helping find homes for these animals, but strongly caution any intention of including the regulation of breeding, care, licensing and fee structure as part of their role in Hawaii. I believe this could have the potential to invite a state of intimidation and harassment between them and anyone owning pets.

Customers shop with us because of our great customer service, and our large selection of pet supplies, foods, and pets. Puppies are not the main source of revenue in our store, although this is often the portrayal of pet stores by critics. We simply offer a choice to our customers if they are looking for a healthy vet-checked puppy and do not wish or are unable to adopt from a shelter. The steps we take, from the veterinarian exams, our \$1,000/1 year health warranty, and screening process ensure we do not obtain puppies from "puppy mills." If you were to visit *most* of the local pet shops here in Hawaii, you would find they do business in a similar manner. This measure, if made into law, has the potential to later affect those doing ethical, conscientious business, yet do nothing to prevent against animal cruelty by those who would perpetrate it.

Sincerely,

Ricky A Baker

Aloha Members I am writing to you in opposition of SB 414 SD 1 Relating to Commercial Dog Breeders. I am writing in opposition because this bill will affect reputable dog breeders that do breed dogs as a hobby and in a way that represents Hawaii in a positive light. What boggles my mind is that this bill was supposedly aimed to the horrible conditions of dogs being bred in Waimanalo and this bill in itself will not even affect those people who were convicted of their crime. While I am totally against animal cruelty and puppy mill breeding again this bill will not affect those people in mention.

My name is Stacia Ohira and I work for these reputable breeders who may have 10 intact dogs and may breed them at any given time but definitely not for profit. These are the people who will be affected by this extremely flawed bill. These people who breed reputable dogs take extreme care of their dogs and have vet bills that haven't been paid because they care so much about their dogs. These people are the people who are spending thousands of dollars to show their dogs and to prove their breeding stock through dog shows and veterinary care. These people are testing their breeding stock for hereditary shortcomings that may be passed on to the puppies who are being born. These people are going to be penalized or held to unrealistic totally biased rules and regulations while the people who we as a state should be going after continue to breed unhealthy dogs in an undisclosed area. I am also a social worker who work closely with care homes and we don't even scrutinize and hold accountability to these care home operators yet we are mandating people who house these dogs?

I just got back from two of America's most reputable dog shows in this great nation. I attended the Eukanuba National Championships and the Westminster Kennel Club dog shows and representing Hawaii along with fellow exhibitors who were invited to compete from Hawaii. The dogs that I show belong to these great people I spoke about who compete their dogs, their future breeding stock to insure that our children will care for and love the healthy puppies being born. We all know how much it costs to travel to Florida and New York City not to mention the outrageous prices of hotels and meals. Well these reputable breeders pay to exhibit and to get the approval to breed their correct and healthy dogs so why are we attempting to punish by further discriminating against them and their hobby of breeding healthy pets. We in this great state of Hawaii should be honoring these breeders for their hard work and for the super representation of dogs who represent our state at these national shows.

Thank you for your time-

Stacia Ohira

(808) 778-0220

staciaohira@gmail.com

Testimony in Opposition of Senate Bill 414
Senate Committees on Commerce & Consumer Protection and Ways and Means
Wed., February 27, 2013

My name is Charlotte Hee. I have owned purebred Golden Retrievers since 2005 and have been exhibited purebred dogs in obedience competition for the last ten years.

I am in opposition of S.B. 414. This bill will not eliminate puppy mills but will, instead, affect hurt responsible hobby breeders. Subjecting responsible hobby breeders to unreasonable restrictions will eliminate them from the islands. Some type of task force should be formed to report back to the Legislature with input from interested parties to eliminate "puppy mills" but not punish responsible breeders.

Hello my name is Cheryl Nakakura, I am a Dog Hobbyist. I am very against this flawed Bill. This Bill will only hurt the responsible breeder and Dog Hobbyist. We spend thousands of dollars every year to insure we are producing healthy dogs. This Bill will only take us further in the hole financially. We are lucky if we break even, which is usually not the case.

We are all against abuse, it makes me sick. This bill will do nothing to the people you are aiming it at. It will only hurt the responsible breeders. It is sad that the good are always punished because of the bad. The puppy mills will still be breeding and breaking the law, they do not care that is why they do that to those animals in the first place. PLEASE DO NOT PASS THIS BADLY FLAWED BILL.

Thank you for your time. Cheryl Nakakura.

Testimony in Opposition

BEFORE: Senate Committees on Commerce and Consumer Protection and
Ways and Means

RE: Senate Bill 414

DATE: Wednesday, February 27, 2013

TESTIMONY OF: John Cregor

I am a local owner and and long time exhibitor of show dogs and a member of several local and national dog clubs.

I oppose SB 414; it is simply bad legislation. The stated purpose of the bill is to control "Puppy Mills" and regulate large-scale breeding facilities. "Puppy Mill" has been legally defined as "a dog breeding operation in which the health of the dogs is disregarded in order to maintain low overhead and maximize profits". *Avenson v. Zegart*, 577 F. Supp. 958. This bill, on the other hand, targets, as "large-scale dog breeders", owners of adult dogs without regard to whether they have ever sold a single puppy, without regard to whether they have ever even had a litter of puppies, in fact it targets dog owners who have never even intended to breed their dogs. It proposes to subject them to onerous regulations intended to be next to impossible to meet, and opens them to unannounced, warrantless searches that can intrude into the very bedrooms of innocent dog owners.

You may have watched the recent telecast of the Westminster Dog Show. All of the dogs in that show have intact sexual organs or they would not be permitted to compete. When show dogs retire from the ring, their owners usually keep them on in loving homes for the remainder of their natural lives. These are not Puppy Mills.

Make no mistake about it, I am vehemently opposed to Puppy Mills and all mistreatment of dogs, but this bill is misguided: rather than effectively regulate puppy mills it appears more to advance the agenda of extremist animal rights organizations whose quest is to abolish pet ownership altogether.

John Cregor
Kailua

SB 414 SD1 Opposed

I am opposed to SB 414 SD1 because it is not a well thought out bill and targets hobby breeders who, at great personal expense, try to preserve the breeds they love. These are not puppy mill people; these are people that research blood lines and genetics to better their breeds. If the sentiment of this bill is to stop the puppy mill people the effect is much further reaching. Is it strictly to add income for the state I believe enforcement will probably exceed any gains. When I visit the shelters I do not see row after row of purebred dogs I see mostly mixed breeds from irresponsible owners.

I think the kennel size and run stipulations shows a lack of knowledge in understanding how gentle older dogs help socialize younger dogs also the way it is written would take a math major to understand. This bill is not targeting the problem. Why not put an advisory panel together of pure bred dog fanciers, HHS and veterinarians to draft proper legislation. Obviously current legislation failed because of the re-opening of the Waimanalo puppy mill on the Big Island.

I would rather see good legislation put forward that is carefully thought-out then a bill pushed through that could have dire effects on breeders of pure bred dogs in general. These are the same breed clubs that take calls and place dogs constantly. These dogs never go to shelters! The pure bred dog community in Hawaii is not the problem, puppy mills are. Take the time to put together well thought out legislation, look at what has failed in the previous bill. A bill that targets the real problem.

Most breeders in Hawaii sell pets with mandatory spay-neuter in their contracts. If this community is targeted the end effect may actually worsen the problem. You would only have back yard breeders breeding purebred dogs with no thought to health clearances.

Your bill actually states that a vicious dog could be put in an enclosure to be bred. You should not breed a vicious dog at all, you would be furthering that temperament and you would be risking the health of the other dog??? Does this not tell you there are problems with this bill?

What exactly is unfit for breeding purposes, you may ask 5 vets and get 5 different opinions. You are implementing legislation that is to open to interpretation. Please consider working with a panel of experts rather than imposing faulty and opened ended legislation and instead look at what has failed in the past. Look specifically at your puppy mill case and see why they were able to circumvent the law.

Pamela Higgins

68-1748 Akaula St

Waikoloa, Hi 96738

Member, Kona Coast Kennel Club, Big Island Agility, Orchid Island Dog Fancier's Club

SB414

Submitted on: 2/22/2013

Testimony for CPN/WAM on Feb 27, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Terry Nii	Individual	Oppose	No

Comments: I oppose this bill because it will hurt responsible dog breeders and fanciers while not preventing things like the Waimanalo puppy mill incident. It allows unconstitutional searches and allows for unspecified licensing fees. Most hobby breeders do not make any profit from their hobby in fact they spend many thousands of dollars of their own money on top quality food, grooming and veterinary care, to try to better their breed. If you take away these peoples rights and make it difficult for them to breed dogs, there won't be any responsible breeders to buy puppies from. It will actually open the door to MORE puppy mills and large commercial breeders who can afford to pay all of the licensing/regulatory fees because they are operating for profit. The State Auditor has declared last year that there are better alternatives than regulating dog breeders.

SB414

Submitted on: 2/22/2013

Testimony for CPN/WAM on Feb 27, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Ancheta	Individual	Oppose	No

Comments: This bill clearly lacks language in support of the AKC membership and breed sport of conformation. Conformation Show Dogs cannot participate in AKC State and National Shows if they are spayed or neutered...nor can they participate in AKC Breed Specialty Shows if spayed or neutered. This bill penalizes and ignores the responsible Pure Breed Dog owners because of the irresponsible puppy mills. A Pure Breed Dog owner who participates in AKC Conformation is not the segment of the population who is pumping out litters of puppies annually...but yet will be penalized by this bill. You've got it all wrong here...look at the American Kennel Club and the Pure Breed Associations to get the correct and appropriate regulations. The Humane Society is self serving and profit driven and operating under false pretense. Any agency that diverts funds to fatten the wallets of their CEO's should not be believed. Kindly vote down this ill written, biased bill. Thank you.

SB414

Submitted on: 2/23/2013

Testimony for CPN/WAM on Feb 27, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Diane (Kimura) & Sandy Sugiyama	Individual	Oppose	No

Comments: we are opposed to this bill. Many of dog show enthusiasts aren't puppy mills, but these requirements will force us to stop our sport of dog shows. Already dog shows are hurting in this State. Dog clubs cannot afford to put on dog shows because this State has made it difficult to own good purebred dogs. The situation in Waimanalo was awful, however the legislature should not penalize all dog people because of that one situation. Some of us love our dogs and they truly are our best friends. Does this legislature condone the aerial eradication of sheep on Mauna Kea? Putting tracking devices on these animals to make it easier for them to be killed is not okay, but this legislature doesn't look at inhumane treatment of all animals. Selective agendas should not be condoned. We live in the District of Senator Solomon and Representative Cindy Evans.

SB414

Submitted on: 2/24/2013

Testimony for CPN/WAM on Feb 27, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Sawamura	Individual	Oppose	No

Comments: Dear Committee Members of the Commerce & Consumer Protection and Ways & Means, Please oppose SB414 SD1 ("SB414 for short") as it is a crude effort to go after large scale commercial dog breeders and adversely affects responsible, hobby breeders and exhibitors. SB414 focuses on anyone who owns or has custody or control of more than 10 dogs of either sex over the age of 4 months that have intact sexual organs. The bill imposes facility and care standards that no one on the islands currently satisfy, not even the Hawaiian Humane Society, which would be exempt. It places a 30 dog limit on dog ownership, regardless of the locale or use of the dogs, i.e., without regard for rural conditions or legitimate interests, such as hunting. It provides for county licensing of "dog breeders" and most concerning of all, searches without probable cause. Seizures are authorized with provisions that would allow seizures of dogs even though the "violation," by any objective veterinary examination of the dogs themselves, has taken good care of the dogs. SB414 authorizes seizures for an extremely broad set of technical violations of animal control provisions, which could include something as trivial as failure to procure a county dog tag or license. Responsible breeders and exhibitors are concerned for a number of reasons. The Humane Society of the United States has pursued limits of all forms on dog ownership. Those limits typically take the form of a headcount. Headcounts in some locales have been defined or amended downward to as few as 2 or 3 dogs. Nothing prevents subsequent amendments that would reduce the 10-dog count to the point where responsible small time breeder/exhibitors would fall within the statute. The bill's facility and care standards are rigid, one-way-or-the-highway standards that do not reflect facility and care standards used successfully and humanely by responsible breeders (and boarding kennels, for that matter) in Hawaii. In fact, the HSUS representative admitted to me that the standards were designed simply to shut down a breeder regardless of that breeder's earnest and successful efforts to maintain happy, well-fed, and well-cared for animals. The HSUS and Senator Clayton Hee defend the bill and the bill's unreasonable facility and care standards, by saying, "Well, these standards won't apply to responsible breeders, only to large scale dog breeders." Unfortunately, two things cause great concern. First, statutory standards tend to become "gold standards," and the peculiar rationale for adopting those standards in the first place become lost. Meanwhile, the new gold standard is engrafted in legislation where those rationales are inapplicable. Second, if the headcount is reduced—as the mainland experience indicates it will, these standards will become applicable to responsible breeders. Last year, the HSUS representative, Inga Gibson, said publicly that responsible breeders have nothing to worry about, "because the facility and care standards will be enforced selectively." The idea of selective enforcement of the laws should raise the hairs on the back of your

neck. It does mine. I thought our system of justice was based on catching bad guys with fair laws fairly enforced. The facility and care standards are in fact unnecessary. New animal cruelty standards adopted in 2010 became effective on January 1, 2011. About a month later, the notorious Waimanalo "puppy mill" operator was shut down based on those standards. The Hawaiian Humane Society noted, however, that the problem was access for inspection purposes. The Waimanalo operator shut his doors to inspection effective January 1, 2011. One last thing, imagine the difficulties an enforcement officer will have under SB414 if it were to pass. An abusive breeder won't bother to get a license and identify himself as a regulated breeder. The animal control authorities would have to trace "ownership, custody, or control" of ten dogs, determine their age, and determine their sexual organ status. Last year, the members of the dog fancy and the House of Representatives called for the formation of a task force of knowledgeable "stakeholders," e.g., veterinarians, dog fanciers, law enforcement, and animal shelters, to look into the problem. The resolution calling for the task force died in the Senate. A task force would have brought informed minds together, to assess the situation and to formulate a legislative solution if need be. Shouldn't legislation be based on the best available information and analysis and not on simple emotion and "by gosh and by golly"? That's why I am asking you to oppose SB414. I do not oppose focused legislation. I do oppose legislation by meat cleaver. Sincerely, Laura Sawamura Dog Fancier

SB414

Submitted on: 2/24/2013

Testimony for CPN/WAM on Feb 27, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Walsh	Individual	Oppose	No

Comments: This bill doesn't actually regulate large scale breeders, it "outlaws" them because of the 30 dog upper limit. 1) This limit would make it uneconomical to operate a commercial breeding operation, for example Bradley International in Waimanalo had more than 150 dogs. That doesn't make what they did right. In fact both the company and the manager at Waimanalo were found guilty of cruelty in court proving that this legislation isn't needed. 2) Although some might applaud outlawing commercial breeders, the fact is that the demand for puppies would then only be met by importing them from Australia where they would probably be raised in even worse (and invisible to us) conditions. If we want to protect the buying public shouldn't we make sure that the puppies are raised locally? 3) Is it even constitutional to outlaw an entire "industry"? What if ranchers were told that they could have no more than 30 cows? The State Auditor, at the request of the Legislature, reported in October 2011: "We found insufficient data to support the need to regulate large-scale dog breeding operations and facilities to protect the public and prevent the cruel treatment of dogs." The proponents of these laws were unable to convince the Auditor that there were many large scale breeders on Oahu: "Currently, there is no reliable information on the magnitude of the problem of unscrupulous large-scale commercial dog breeders in Hawai'i." Most of the dogs (43%) in Hawaii come from "friends and family" according to Hawaiian Humane Society data. Professional salaried "animal lovers" from organizations like the Washington, DC-based Humane Society of the United States (HSUS) are pursuing their own national agenda and using Hawaii and other States as a testing ground. They use donated funds to draft legislation, lobby and to solicit their membership for testimony in favor of this legislation. Most of the language in this bill is copied from other mainland states and provided to our legislators by the HSUS. Once they get legislation passed in one location then they use that to convince other jurisdictions that they too should have legislation. Most of the opposing testimony comes from local hobbyists and responsible breeders who don't have a paid lobbyist but who are the most likely to be hurt by this bill. How will they propagate and strengthen their chosen breed if they are unable to maintain a small breeding stock of 10 animals.

SB414

Submitted on: 2/25/2013

Testimony for CPN/WAM on Feb 27, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Rona Totoki	Individual	Oppose	No

Comments: This legislation is intended to close down puppy mills, but in attempting to do so, paints a broad brush with requirements that will not prevent a repeat of the horrors of the Bradley International exploitation of animals. Instead, this legislation but will only serve to negatively impact reputable dog fanciers and their animals. Like most animal lovers, my family and I were horrified by the news generated by the discovery of the Waimanalo puppy mill, first by the squalid conditions the animals were forced to endure at the hands of Bradley International's employees, and subsequently, by the complete lack of meaningful consequences meted out to the company, shareholders, board directors, and officers responsible for the atrocities committed against the animals. To learn that the shareholders dissolved the company so that the only person punished in any manner was the operation's general manager and that the state was unable to take any action against those responsible for the animals' plight was infuriating. I can understand how Senator Hee and many others who may support SB4' 14 SD1 want to insure that the state has the power to effectively shut down and punish the perpetrators the next time we are faced with the discovery of another puppy mill. However, this bill misses its mark and the members of the Luke family involved in the Waimanalo puppy mill have already started up another puppy mill enterprise. Will SB 414 SD 1, if passed, motivate the Luke family to register as a large scale breeder, comply with requirements related to feeding, housing, veterinary care, and breeding restrictions? Unfortunately, no. The only impact SB 414 SD 1 will have is on dog fanciers and reputable and ethical breeders who love their animals and are law abiding citizens. Since my husband and I purchased a puppy from a local hobby breeder two years ago, we have come to know many dog fanciers who show their dogs at AKC conformation shows. My husband and I have since spent hundreds of dollars and countless hours training our two dogs and competing in conformation shows - the goal of which is to confirm, through the judging process, that they meet the standards established for their breed, before breeding them. Our two year old Havanese has begun the medical testing process and my husband and our breeder have discussed at great length, potential breeding partners. As I understand it, the goal of a reputable breeder is never to breed solely to produce cute puppies or for financial gain. Rather, it is to better the breed and the numerous discussions of genetics in the process convince me that reputable breeders do not breed their animals without tremendous thought and research. If humans gave half the amount of thoughtful consideration in reproducing that our breeder does about breeding her dogs and their breeding quality offspring, there would be no unwanted and/or unexpected babies in this world. I do not understand how our breeder and most, if not all of the dog fanciers I meet at the AKC conformation shows, can be considered "large scale commercial breeding facilities" and classified with the likes of Bradley International

and other puppy mill operators. While the language of SB414 SB1 purports to define who qualifies as a large scale breeder using arbitrary numbers, it completely ignores the reality of dog fanciers and ethical breeders who raise their animals at home with them, have real every day jobs that do not involve breeding and selling puppies to support their families, and retain ownership in their dogs oftentimes, beyond 4 months, for a variety of reasons. The difference between puppy mill operators and reputable breeders is that the mill operators exploit animals for financial profit and have no emotional bond or attachment to the dogs, for if they did, they would NEVER allow their animals to endure the atrocities we saw in the Waimanalo puppy mill case. On the other hand, the breeders who will be impacted by this legislation readily admit their hobby is not a financial money maker for them with vet bills and medical testing, the cost of quality food, grooming and care, and limited breeding of animals that meet their high standards that result in a limited number of puppies, the sales proceeds of which do not cover the host of expenses that come with being a hobby breeder. The standard of care aimed to be established by this legislation is unnecessary where breeders home raise their animals who live in their back yard or, as is the case with our breeders and many other breeders we know, in their house among their children, sharing their beds as cherished members of their families. These breeders do not need the mandates of this legislation to encourage them to provide nutritious food, veterinary care, exercise, and shelter, which they know they are responsible for providing, along with love and human socialization (two criteria noticeably absent from SB 414 SD 1). These are what differentiate responsible and ethical breeders from puppy mill operators. If Senator Hee's motivation is to prevent the operation of puppy mills where puppies are churned out for profit, perhaps a more effective way of putting a stop to inhumane raising and breeding is to focus on eliminating the outlets for the sale of puppy mill puppies - pet shops, and puppy swap meets - which bank on impulse purchases that reward puppy mill operators. At the very least, if pet shops and other "large scale" multiple and repeat puppy purchasers had stringent requirements to adhere to in their purchase of puppies for resale and legislation criminalized their knowing purchase of animals from puppy mills, puppy mill operators might see a decrease in demand, resulting in less financial profit and incentive to conduct such a sordid business. While determination to stamp out puppy mills is laudable, it is in the best interests of dog fanciers, hobby breeders, and their animals that SB 414 SD1 is defeated. It would be a horrible injustice if the dogs of reputable dog fanciers and breeders were confiscated for a licensing or other violation under this bill and sent to the Humane Society, which is exempt from compliance with regard to the standards of care established in SD 414 SB 1, and subject to destruction. The seizure of pets from loving homes would be an unspeakable tragedy and a result even Senator Hee and supporters of this bill cannot condone. Thank you.

SB414 Testimony in Support (131)

Submitted By	Organization	Testifier Position	Present at Hearing
Vicki Borges	Hawaii Humane Society	Support	No
Vivian S. Toellner	Hui Pono Holoholona	Support	No
Anika Glass	Malama Waikoloa Nightingales	Support	No
Katherine Cullison	Individual	Support	No
Jason Cadiz	Individual	Support	No
Marci Taylor-Kaneshige	Individual	Support	No
Caron Nakamura	Individual	Support	No
Jamie Ikeda	Individual	Support	No
Daniel Morisato	Individual	Support	No
Violet Iuta	Individual	Support	No
Arin Duarte	Individual	Support	No
Peter Kowen	Individual	Support	No
Kahanu Ponimo	Individual	Support	No
Jessie Pennington	Individual	Support	No
Lola Colombe	Individual	Support	No
Chelsea Kentris	Individual	Support	No
Steven Prieto	Individual	Support	No
Kate Linton	Individual	Support	No
Stephanie Docekal	Individual	Support	No
Jacque Le Blanc	Individual	Support	No
Keoni Vaughn	Individual	Support	No
Natalie Lukashevsky	Individual	Support	No
Tina Kimmons	Individual	Support	No
Lorraine Shaughnessy	Individual	Support	No
Laura Lum	Individual	Support	No
May Ishida	Individual	Support	No
Scot Overholser	Individual	Support	No
Kelley Streadbeck	Individual	Support	No
Cynthia Okido	Individual	Support	No
Kathy Takayama	Individual	Support	No
Kris Fronteras	Individual	Support	No
Jacqueline Just	Individual	Support	No
Tasha	Individual	Support	No

Mapuana Lew	Individual	Support	No
Mahealani Lew	Individual	Support	No
Damien Naeole	Individual	Support	No
Barry Rivers	Individual	Support	No
Lisa Fowler	Individual	Support	No
Ginger Edmunds	Individual	Support	No
Joanne Yoshimi	Individual	Support	No
Linda Ross	Individual	Support	No
Cassie Favreau-Chung	Individual	Support	No
Faith Lebb	Individual	Support	No
Christian Gloria	Individual	Support	No
Chelsea Hong	Individual	Support	No
Sandy Coons	Individual	Support	No
Debbi Brown	Individual	Support	No
Melina Patrick	Individual	Support	No
Lisa Fowler	Individual	Support	No
Aimee Nuss	Individual	Support	No
Javier Mendez-Alvarez	Individual	Support	No
Liz Croegaert	Individual	Support	No
Amelia Jose	Individual	Support	No
Caroline Viola	Individual	Support	No
Clyde Kimura	Individual	Support	No
Christina Kam	Individual	Support	No
Rob Church	Individual	Support	No
Dr. Richard S. Kennedy	Individual	Support	No
Rob Church	Individual	Support	No
Vernon Ling	Individual	Support	No
Lopaka Biondine	Individual	Support	No
Andrew Connell	Individual	Support	No
Audrey Lake	Individual	Support	No
Brett Lum	Individual	Support	No
A.Chavez	Individual	Support	No
Kathy Shimata	Individual	Support	No
Sarah Mendez	Individual	Support	No
Jessica Dunn	Individual	Support	No
Keith Hirata	Individual	Support	No
Sarah Kimmons	Individual	Support	No
Deborah Notch	Individual	Support	No
Patricia V. Herman	Individual	Support	No
Rene Umberger	Individual	Support	No
Mary Jo Masters	Individual	Support	No

Cheryl Carocci	Individual	Support	No
Marita L. Nelson	Individual	Support	No
Megan McInnis	Individual	Support	No
Alana Kaopuiki	Individual	Support	No
Lois Crozer	Individual	Support	No
Brent Ching	Individual	Support	No
Tina Kimmons	Individual	Support	No
Rochelle Blaisdell	Individual	Support	No
John Novick	Individual	Support	No
Karen Teruya	Individual	Support	No
Anna Doyle	Individual	Support	No
Cecily Ling	Individual	Support	No
Deborah Kelly	Individual	Support	No
Peter Tierney	Individual	Support	No
Mike Moran	Individual	Support	No
William Harris, M.D.	Individual	Support	No
Vicky Cayetano	Individual	Support	Yes
Gillian Boss	Individual	Support	No
Deborah Wilson	Individual	Support	Yes
S. Walden	Individual	Support	No
Kate Butts	Individual	Support	No
Karen Nakagawa	Individual	Support	No
Stephanie McLaughlin	Individual	Support	No
Margaret Sueoka	Individual	Support	No
Mi Kosasa	Individual	Support	No
Laurie Pottish	Individual	Support	No
Dawn Groves	Individual	Support	No
Terri Shishido	Individual	Support	No
Javier Mendez-Alvarez	Individual	Support	No
Jennifer Chiwa	Individual	Support	No
James Seto	Individual	Support	No
Gloria	Individual	Support	No
Alice Saul	Individual	Support	No
Malia Cabaccang	Individual	Support	No
Naomi Egami	Individual	Support	No
Kathleen Gissing	Individual	Support	No
Jane Arnold	Individual	Support	No
Andrew Schwartz	Individual	Support	No
Ginger Towle	West Hawaii Humane Society	Support	No
Joanna	Individual	Support	No

Sandra L Tamashiro	Individual	Support	No
Christin Matsushige	Individual	Support	No
Robin Rae Swanson	Individual	Support	No
Ginny Tiu	Individual	Support	Yes
Nicole Okemura	Individual	Support	No
Dirk Fukushima	Individual	Support	No
John Tyrrell	Individual	Support	No
Erin Lees	Individual	Support	No
David E McArthur	Individual	Support	No
Lance Kaneshiro	Individual	Support	No
Ferol Kolons	Individual	Support	No
Mary Markl	Individual	Support	No
Janu Cassidy	Individual	Support	No
Charlene Ahn	Individual	Support	No
Jane Shiraki	Individual	Support	No
Ron Gose	Individual	Support	No
Charlyn Honda	Individual	Support	No

SB414 Testimony in Opposition (25)

Submitted By	Organization	Testifier Position	Hearing
Nikki Char	siberian husky club of hawaii	Oppose	No
Glenna Wong	Individual	Oppose	No
Teri	Individual	Oppose	No
Joe	Individual	Oppose	No
Jane Morita-Sibley	Individual	Oppose	No
Mike S	Individual	Oppose	No
Winnie Nakatsu	Individual	Oppose	No
Angela Leslee	Individual	Oppose	No
Susan Govier	Individual	Oppose	No
Wanda Yurong	Individual	Oppose	No
Elizabeth Ziebell	Individual	Oppose	No
RL Thomson	Individual	Oppose	No
Lisa	Individual	Oppose	No
Pam Kutaka	Individual	Oppose	No
Fay Jitchaku	Individual	Oppose	No
Chris Shirai	Individual	Oppose	No
Christopher Feld	Individual	Oppose	No
Robert Inouye	Individual	Oppose	No
Jo Ann Ikehara	Individual	Oppose	No
Kathleen Doi	Individual	Oppose	No
Linda Kuribayashi	Individual	Oppose	No
Bob Frost	Individual	Oppose	No
Gerry Adachi	Individual	Oppose	No
Dana Adachi	Individual	Oppose	No
Daniel Adachi	Individual	Oppose	No