

Animal Welfare Task Force REPORT

Submitted to

**Governor
James E. McGreevey**

**Attorney General
Peter C. Harvey**

**Commissioner
Clifton R. Lacy**



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Task Force is \$200) to a fund to be held in escrow for six months. The deposit would be refunded upon proof that the animal has been sterilized within six months. Otherwise, the deposit would escheat to the municipality for deposit in the APCP.

An appropriate penalty would create an incentive to comply. To further ensure compliance, consideration should be given to a licensing/registration system that would effectuate the above provisions, particularly if compliance is otherwise difficult to ascertain. Any licensing/registration system should be utilized only for implementation of the above provisions and should not be used to regulate the breeding profession itself.

This would allow for individuals to pursue breeding their animal while creating a disincentive for those who are not serious about responsible, healthful breeding.¹⁰⁴ We are advised that responsible hobby and show breeding is an expensive undertaking and responsible breeders accept the costs associated with this practice. Those who are unwilling to accept the cost of the refundable deposit should either accept a sterilized animal or opt to not purchase a hobby-bred purebred animal.¹⁰⁵

C. Trap, Neuter and Return

In order to effectively control the population of feral and stray cats living outdoors, it is important to take immediate steps to curtail the reproduction of these cats. The Task Force recommends that governments, groups and individuals be permitted and encouraged to practice “trap, neuter, vaccinate, return and monitor” (hereinafter “TNR” for short) pursuant to standards that should be established by the New Jersey Department of Health and Senior Services, in consultation with the New Jersey Department of Environmental Protection, and community groups and individuals with an interest in cats and/or threatened or endangered species. Local governments should consider utilizing this method where appropriate (not all locations or circumstances will be conducive to TNR) and all participants should be apprised of the guidelines to be devised by the Department.

1. Background

A feral cat is a domestic cat that was lost or abandoned and has reverted to a wild state or a cat that was born to a stray or feral mother and has had little or no human contact. Adult feral cats can rarely be tamed without months or years of effort and are often not suited to living indoors with people. They live outside in family groups, called colonies, which form near a source of food and shelter.

¹⁰⁴ Particular attention should be directed at breeding healthy dogs and especially stressing the importance of genetic tests and selective breeding in an effort to minimize the incidence of inheritable disease and the accompanying needless suffering and euthanasia that often follows.

¹⁰⁵ Consistent with the provisions concerning shelters and rescue facilities, exceptions should be made for hardships, including medical conditions that prohibit sterilization. Provision should be made to ensure that the animal is sterilized when medically appropriate.

By contrast, a stray cat is a domestic cat that strayed from home and became lost or was abandoned. Strays, due to their previous contact with people, can usually be re-socialized and placed in an adoptive home.

New Jersey has a large number of feral cats and stray cats living outdoors year round. Projections indicate that this population is likely to approximate 400,000 cats in the summer and 200,000 cats in the winter.¹⁰⁶

Many ferals are brought into shelters and are usually euthanized, at considerable expense to towns and shelters. Once at a shelter, it is extremely unlikely that feral cats will be adopted or returned to their home, if any, as they are ordinarily not suited to live indoors and with people. “Although these are “domestic” cats by definition, and they remain so in the wild, circumstances have caused them to be no longer “domesticated.” Consequently, as sheltering of feral cats is not an option, feral cats in shelters are frequently euthanized.

With this traditional approach to overpopulation, the town must pay not only for staff and equipment to trap the cats but also for the cost of housing the animals for seven days (the period of time required by law to allow persons to come and claim the animal) as well as the cost to euthanize. This cost is estimated to be, on average, as high as \$90 per cat.¹⁰⁷ In addition, as the number of feral cats increases, there is a concomitant increase in the numbers of complaints made to local animal control departments as well as the number of cats that are trapped or otherwise picked up by animal control officers. This adds to the burden placed upon municipal governments.

Studies have shown euthanasia to be unsuccessful in curtailing feline overpopulation or reducing the size of cat colonies. A small number of breeding cats can, in just a few short years, overpopulate an area.¹⁰⁸ Cats can have two to three litters a year starting as young as five months old. Even when cats are removed from a location, other cats will gravitate

¹⁰⁶ According to the United States Census Bureau, the population of New Jersey in 2001 was 8,484,431 people. According to the American Veterinarian Medical Association Pet Estimate Formula, to estimate the dog and cat populations, divide the total human population by 2.6; this is the number of households. Multiply that number by .534 to obtain the dog estimate or .568 to obtain the cat estimate, excluding ferals. Center for Information Management, American Veterinary Medical Association, *United States Pet Ownership and Demographics Sourcebook*, September 8, 1997.

¹⁰⁷ Nationwide, the average cost of impounding and euthanizing an animal is reported to be between \$50 and \$90 per animal. *Animal Control Management, A Guide for Local Governments* (International City/County Management Association), page 18.

¹⁰⁸ SPAY USA. *Did You Know* (Fact Sheet 2003) (Two uncontrolled breeding cats ...plus all their kittens...if none are ever neutered or spayed add up to 80,399,780 cats in a ten-year breeding period. Note that this number assumes the cats live 10 years. Not all cats live 10 years when facing factors such as weather elements, old age, sickness, road kills and predation on the cats.) See also Berkeley, Ellen Perry (1987/2001) *Maverick Cats: Encounters with Feral Cats*, (Shelburne, VT: New England Press), pages 120-121; Hartwell, Sarah (1999), Why Feral Education Won't Work, www.feralcat.com; Chappell, Michelle S., DVM, (1999), A Model for Humane Reduction of Feral Cat Populations, *California Veterinarian*, September/October 1999, www.feralcat.com.

to the food source and fill the vacuum where the previous colony was removed.¹⁰⁹ Accordingly, animal control departments cannot remove, house and euthanize all of the animals so that reproduction will be prevented or sufficiently reduced.

Nonetheless, towns often feel compelled to trap and euthanize feral cats year after year. In addition to not ameliorating the problem, full scale trap and euthanize programs require a much larger allocation of resources than most communities can afford. Moreover, these expenses must be incurred annually, and these practices may also be subject to costly legal challenges.¹¹⁰

Given the traditional responses to feral cats, there is a substantial and ever growing number of feral cats living outdoors in our State, neither cared for nor managed. In addition to not remedying or reducing the population problem, traditional methods typically do not respond to public health issues, as they do not cause the animals to be vaccinated. As such, these methods allow large numbers of unvaccinated feral cats to remain outdoors. In addition, because it is unlikely that these animals could be placed in traditional homes, they would likely be euthanized when no alternatives are permitted. Accordingly, appropriate methodologies must be employed to respond to all of these problems.

2. Analysis and Recommendations

Controlling the feral cat population through sterilization is crucial. Overpopulation must be curtailed at its source; sterilization is the logical solution to unchecked reproduction. TNR is designed to achieve this goal by reducing the stray and feral population through attrition by trapping, sterilizing, and inoculating feral and stray cats against distemper and rabies, and then returning them to their already established territory, where they are monitored.¹¹¹ The sterilization prevents the cats from reproducing while inoculations prevent disease. Ear-notching provides an easy way to identify cats in a TNR program. If a cat is abandoned in the area or otherwise finds its way to the area, it can be put up for adoption if possible or added to the TNR program.¹¹²

¹⁰⁹ Slater, Margaret R. (2002), *Community Approaches to Feral Cats*. (Washington, DC: Humane Society Press); Zaunbrecher, Karl, and Smith, Richard E., (1993), Neutering of feral cats as an alternative to eradication programs, *JAVMA*, Vol. 203, No. 3, pages 449-52; Hartwell, Sarah, *Why Feral Eradication Won't Work*, www.feralcat.com.

¹¹⁰ Hughes, K.L., Slater, M.R., Haller, L. (2002), The Effects of Implementing a Feral Cat Spay/Neuter Program in a Florida County Animal Control Service. *Journal of Applied Animal Welfare Science*, 5(4), pages 285-98.

¹¹¹ Clifton, Merritt, Editor, (1993), Can We Outlaw Pet Overpopulation?, *Animal People*, May 1993.

¹¹² *Ibid.*

TNR has a history in Denmark, England and the United States,¹¹³ is endorsed by the American Veterinary Medical Association and is currently being implemented with local governments' approval in some New Jersey towns and in other states. Humane organizations have endorsed TNR, including Friends of Animals, Alley Cat Allies, the Best Friends Animal Sanctuary in Utah, the Tufts Center for Animals and Public Policy,¹¹⁴ the Association of Veterinarians for Animal Rights (AVAR) and the Cat Fanciers' Association.¹¹⁵ A recent national opinion poll conducted by Alley Cat Allies in May 2003 found that out of 24,599 respondents, 94% supported TNR as an effective tool in addressing feral and stray cat population.¹¹⁶ Since March 2002, the Journal of the American Veterinary Medical Association has published four articles in favor of TNR. These scientific studies were conducted by veterinarians, scientists and academics.¹¹⁷

TNR has proven to be an effective and workable program for long-term population control and is increasingly being utilized by public and private entities to address feral cat populations and the concomitant problems of protecting the public health from rabies and cat nuisance complaints. It has been demonstrated to reduce overpopulation, complaints about roaming and the number of cats in shelters in communities in the United States and abroad.¹¹⁸ It reduces the use of euthanasia, and costs less than half of the cost of traditional trap and euthanize programs. Dr. Julie Levy, DVM, Ph.D., monitored an eleven-year TNR project that involved 155 cats in eleven colonies on a central Florida campus. Dr. Levy concluded that "a comprehensive long-term program of neutering followed by adoption or return to the resident colony can result in reduction of free-roaming cat population in urban areas."¹¹⁹

¹¹³ *Ibid.*

¹¹⁴ *Ibid.*

¹¹⁵ The Cat Fanciers' Association, Inc., (1998), *CFA Guidance Statement: Free Roaming/Unowned/Feral Cats*, February 8, 1998.

¹¹⁶ Alley Cat Allies, (2003), *National Opinion Poll*. May 2003.

¹¹⁷ Alley Cat Allies, (2003) Building the Body of Scientific Evidence that TNR Works, *Feral Cat Activist*; Spring 2003; Zaunbrecher, Karl and Smith, Richard E., (1993), Neutering of feral cats as an alternative to eradication programs, *JAVMA*, Vol. 203, No. 3, pages 449-52; Levy, Julie K., DVM, Ph.D., DACVIM; Gale, David W.; Gale, Leslie A., B.S., (2003), Evaluation of the effect of a long-term trap-neuter-return and adoption program on a free-roaming cat population, *JAVMA*, Vol. 222, No. 1, January 1, 2003; Centonze, Lisa A., B.A.; Levy, Julie K., DVM, Ph.D., DACVIM, (2002), Characteristics of free-roaming cats and their caretakers, *JAVMA*, Vol. 200, No. 11, June 1, 2002; Patronek, G.J., (1998), Free-Roaming and Feral Cats, Wildlife and Human Beings, *JAVMA*, Vol. 212, pages 218-26; Griffin, Brenda, DVM, M.S., (2001), Prolific Cats: The Impact of their Fertility on the Welfare of the Species, *JAVMA*, Vol. 23, No. 12, December 2001.

¹¹⁸ Johnson, Karen, (1995), National Pet Alliance Report on Trap/Alter/Release Programs, *Cat Fanciers' Association, Inc. Almanac*, July 1995, pages 92-94.

¹¹⁹ Levy, Julie K., DVM, Ph.D., DACVIM; Gale, David W.; Gale, Leslie A., B.S., (2003), Evaluation of the effect of a long-term trap-neuter-return and adoption program on a free-roaming cat population, *JAVMA*, Vol. 222, No. 1, January 1, 2003.

TNR is already working successfully in New Jersey in model TNR programs in Cape May, Atlantic City (at the Boardwalk), Phillipsburg and Bloomfield. In addition, support for TNR was one of the top three recommendations of New Jerseyans in comments received at the Task Force's public hearings and via correspondence.

Elsewhere in the country, the Orange County, Florida, Animal Services Department, the San Francisco SPCA, and statewide programs in California and Utah, have successfully implemented TNR programs.¹²⁰ Maricopa County, Arizona and correctional institutions in Ohio, Montana and New York State have also officially approved TNR as a means to feline population control. These programs are additionally beneficial to local governments, as volunteers can often be found to assist governments in managing feral cat colonies but are generally not willing to assist in trapping and removing cats for euthanasia.

Following are examples of TNR programs that have provided value to both cats and people, as well as financial savings to local governments, as compared to the costs associated with the conventional and far less compassionate methods of population control.

⇒ Maricopa County, Arizona

Ed Boks, former Director of Animal Care and Control, Maricopa County, Arizona,¹²¹ studied conventional methods of feral cat control for over 20 years. He determined that these methods do not properly regulate the population and, consequently, initiated a TNR program that is operated by the county animal control department. Within eight years the euthanasia rate dropped from 23 cats per 1000 county residents to only eight cats per 1000 county residents.¹²²

⇒ Orange County, Fla.

Orange County, Florida has a population of 700,000 people. Its animal control department incurs costs of approximately \$105 per animal when it must respond to a complaint and impound and euthanize the animal. Before its TNR program was introduced, there were approximately two hundred complaints per year, resulting in as many animals being captured, with a cost of \$21,000 to the county. Within six years after the introduction of TNR by animal control services in 1995, complaints decreased by approximately 10% as did the number of impoundments, with a total savings to animal

¹²⁰ Krebsbach, Susan B., D.V.M, (2003), TNR-The Most Viable Option for Expedient Reduction of Stray and Feral Cat Populations, February 1, 2002.

¹²¹ Maricopa County, Arizona is approximately 9200 square miles and has approximately 3 million residents.

¹²² The Proof is in-TNR Works, *Neighborhood Cats*, August 24, 2003, www.neighborhoodcats.org.

services of over \$100,000.¹²³ Within the six years of the start of the program, euthanasia decreased by 18%.¹²⁴

⇒ San Diego, California

Founded in 1992 by Dr. Rochelle Brinton and volunteer cat caretakers, the Feral Cat Coalition (FCC) introduced TNR to San Diego on a countywide basis. FCC is an all-volunteer organization that provides free sterilization procedures for feral and stray cats. In addition to sterilization procedures, the cats are vaccinated for rabies and treated for fleas and any immediate medical problems. FCC volunteers and others monitor the feral cats after they are returned to the outdoors. The Task Force is advised that the local animal control departments support the program as it has had a positive impact in reducing the feral population, thus reducing the number of cases to which they would have otherwise been required to respond. The Task Force is further advised that by 1994, two years after the start of the TNR program, the total number of cats brought into San Diego shelters dropped over 34% and the euthanasia rates in county shelters for all cats dropped 40% (instead of the usual 10% increase). San Diego euthanized 8.0 shelter animals per 1,000 people in 1997; 4.9 in 2002. The reduction in the euthanasia rate translated to an estimated tax savings of \$795,976.¹²⁵

⇒ San Francisco, California

The San Francisco SPCA initiated a citywide TNR program in 1993. The SPCA has been working with feral cat caregivers to control the feral cat population, provide some medical care, keep the cats adequately fed and — when possible — adopt them into homes. There are three aspects to the program. The first is “feral fix,” a program through which the SF/SPCA provides vaccinations and spay/neuter surgery for San Francisco feral cats, all at no charge to their caregivers. Since the program began they report altering over 10,000 cats. The second aspect of the program is “Cat Assistance Teams.” In neighborhoods throughout the City, CAT members work together to humanely trap feral cats, transport them to Feral Fix, provide post-surgery recovery care, and socialize feral kittens before placing them in homes. CAT members also provide expert advice and assistance to novice caregivers in their neighborhoods. Finally, there is 9 Lives™ Humane Feral Cat Management Video Series including nine comprehensive

¹²³ Orange County, Fla.: A Model Animal Services Program, *Alley Cat Allies* (fact sheet 2003).

¹²⁴ Hughes, K.L., Slater, Margaret R., Haller, Linda, (2002), The Effects of Implementing a Feral Cat Spay/Neuter Program in a Florida County Animal Control Service, *Journal of Applied Animal Welfare Science*, Vol. 5 No. 4, page 292.

¹²⁵ Chappell, Michelle S., DVM (1999), A Model for Humane Reduction of Feral Cat Populations, *California Veterinarian*, September/October 1999.

videos that cover all aspects of caring for feral cats.¹²⁶ Within six years of commencing the TNR program, euthanasia rates dropped by 70%.¹²⁷

⇒ New York City, NY

The New York City Feral Cat Council (“NYCFCC”), operating within the Mayor’s Alliance (discussed later in this report), is a coalition of NYC animal groups working to humanely reduce the City’s feral cat population through the use of TNR. They established a TNR program on the Upper West Side of Manhattan in 1999. Based on statistics compiled by New York City’s Office of Animal Care and Control, the number of stray cats from the Upper West Side going into all shelters was reduced by 73% in the first three years of the program. During the first year of the program, there was a 59% reduction in the number of cats arriving in shelters.

⇒ Cape May, New Jersey

In 1995 John Queenan, the animal control officer and animal cruelty investigator for Cape May City, proposed an ordinance to facilitate TNR and the feeding of feral cat colonies. ACO/ACI Queenan based his proposal for the ordinance on similar regulations in Santa Cruz County, California. Because pick-up and euthanasia had not resolved the city’s overpopulation problem, the ordinance focused on preventing reproduction by unaltered ferals. As a result of Cape May’s ordinance change, 200 cats were altered in 1997. Based on the number of nuisance complaints, litters of kittens and visual sightings of the colonies, it is estimated that the feral cat population, which was between 500 and 800 cats in 1994, has been reduced by 50%.¹²⁸

⇒ Atlantic City, New Jersey

The Humane Society of Atlantic County, in conjunction with the Health Department of Atlantic City and local volunteers, has used TNR successfully and with municipal approval. Through kitten adoptions and natural attrition (since these cats no longer reproduce), the feral cat population under the Atlantic City boardwalk has been reduced by more than 70% since the program began approximately three years ago. Cat related nuisance complaints, common before enactment of the TNR ordinance, are now rare.¹²⁹

⇒ Phillipsburg, New Jersey

Phillipsburg, Warren County also authorized TNR. Dr. Robert Blease, a veterinarian and founder of Common Sense for Animals (“CSA”), a non-profit organization that receives

¹²⁶ www.sfspca.org/feral/index.shtml.

¹²⁷ The Proof is in-TNR Works, *Neighborhood Cats*, August 24, 2003, www.neighborhoodcats.org.

¹²⁸ John Queenan, ACO/ACI, Cape May, New Jersey.

¹²⁹ Report on Atlantic City’s Feral Cat Colonies, *Alley Cat Allies*, Vol. 11, Issue No. 4, Winter 2001.

no public funding, initiated the municipality's TNR ordinance in 2001. All feral cats that are brought to CSA are vaccinated, sterilized, and identified by way of ear notching. Cats that are infected with FIV/FEHV, unhealthy or vicious, are humanely euthanized. If necessary, cats are adopted out to families or individuals before being returned to colonies. The Task Force is advised that since Phillipsburg authorized TNR the stray cat population has reportedly dropped by an estimated 350 cats, in the first year alone, and citizen complaints about stray cats have dropped to zero.¹³⁰

⇒ Bloomfield, New Jersey

The Friends of the Bloomfield/Bukowski Animal Shelter (FOBAS) recently initiated a TNR program. The program, which began in September 2003 with two colonies, has been endorsed and supported by the mayor, the town council and the Bloomfield Department of Health. Neighborhood Cats, a New York City-based volunteer non-profit organization, provides advice and assistance to the town, which adopted TNR as its official feral cat program.¹³¹

As illustrated above, TNR is a viable tool that, if implemented properly, will not only save lives and reduce feral cat populations, but will ultimately reduce municipal fiscal expenditures. TNR programs cost less than half to operate than the traditional trap and kill approach. The average cost to trap, neuter and vaccinate is approximately \$30.00 to \$40.00 per cat, whereas the traditional trap and kill approach can cost as much, on average, as \$90.00 per cat.¹³² Moreover, citizens who oppose the trapping of cats for euthanasia are willing to volunteer to trap animals as part of a TNR program, thus providing a cost-free resource to local governments.

Furthermore, TNR may be carried out in a manner that accommodates concerns for threatened or endangered bird species and wildlife. Consultation by the Department of Health and Senior Services with the New Jersey Department of Environmental Protection and bird advocates can ensure that TNR programs can be established at locations which further the protection of birds and wildlife.

It should be stressed that TNR, through its provision of vaccinations, provides protection against disease, including rabies, which would not otherwise be provided. DHSS guidelines concerning TNR should address the provision of appropriate vaccinations.

For all of these reasons, TNR is a solution that should be embraced. The Task Force encourages local governments and interested organizations to implement this program.

¹³⁰ www.common senseforanimals.org.

¹³¹ The Proof is in-TNR Works, *Neighborhood Cats*, August 24, 2003, www.neighborhoodcats.org.

¹³² *Animal Control Management, A Guide for Local Governments* (International City/County Management Association), page 18 (for nationwide averages).