

THE STATE OF LOUISIANA'S ROLE
IN ANIMAL WELFARE AND CONTROL ACTIVITIES



PERFORMANCE AUDIT SERVICES
ISSUED MAY 5, 2021

**LOUISIANA LEGISLATIVE AUDITOR
1600 NORTH THIRD STREET
POST OFFICE BOX 94397
BATON ROUGE, LOUISIANA 70804-9397**

LEGISLATIVE AUDITOR
MICHAEL J. "MIKE" WAGUESPACK, CPA

**FIRST ASSISTANT LEGISLATIVE AUDITOR
AND DIRECTOR OF FINANCIAL AUDIT**
ERNEST F. SUMMERVILLE, JR., CPA

DIRECTOR OF PERFORMANCE AUDIT SERVICES
KAREN LEBLANC, CIA, CGAP, MSW

**FOR QUESTIONS RELATED TO THIS PERFORMANCE AUDIT, CONTACT
KRISTA BAKER-HERNANDEZ, PERFORMANCE AUDIT MANAGER,
AT 225-339-3800.**

Under the provisions of state law, this report is a public document. A copy of this report has been submitted to the Governor, to the Attorney General, and to other public officials as required by state law. A copy of this report is available for public inspection at the Baton Rouge office of the Louisiana Legislative Auditor and online at www.lla.la.gov.

This document is produced by the Louisiana Legislative Auditor, State of Louisiana, Post Office Box 94397, Baton Rouge, Louisiana 70804-9397 in accordance with Louisiana Revised Statute 24:513. Five copies of this public document were produced at an approximate cost of \$6.25. This material was produced in accordance with the standards for state agencies established pursuant to R.S. 43:31. This report is available on the Legislative Auditor's website at www.lla.la.gov. When contacting the office, you may refer to Agency ID No. 9726 or Report ID No. 40200018 for additional information.

In compliance with the Americans With Disabilities Act, if you need special assistance relative to this document, or any documents of the Legislative Auditor, please contact Jenifer Schaye, General Counsel, at 225-339-3800.



LOUISIANA LEGISLATIVE AUDITOR
MICHAEL J. "MIKE" WAGUESPACK, CPA

May 5, 2021

The Honorable Patrick Page Cortez,
President of the Senate
The Honorable Clay Schexnayder,
Speaker of the House of Representatives

Dear Senator Cortez and Representative Schexnayder:

The purpose of this performance audit was to evaluate the state of Louisiana's role in animal welfare and control activities. Overall, we found the state should expand and strengthen its role to better ensure the humane treatment of animals in different types of facilities.

We found state entities do not have sufficient legal authority in state law to effectively regulate animal welfare and control activities. Although the Louisiana Department of Agriculture and Forestry (LDAF) serves in an advisory role to public animal control shelters, no state entity has regulatory oversight of any animal facility, including boarding facilities, grooming businesses, and rescue organizations. Thirty-one other states require at least some facilities involved with animal welfare and control to be licensed or registered with the state.

Louisiana also does not require public animal control shelters to adopt or follow the state's *Minimum Standards for Animal Shelters*. In addition, these standards do not align with nationally-recommended practices. For example, we found that nine (45 percent) of 20 practices deemed unacceptable by the Association of Shelter Veterinarians' *Guidelines for Standards of Care in Animal Shelters* are not specifically prohibited in Louisiana's standards. In addition, Louisiana's standards do not include practices that are considered essential, such as ensuring sufficient staff hours to properly care for animals in a shelter.

We found Louisiana lacks consistent and reliable sources of funding for animal welfare and control activities, including funding for state entities and local shelter operations. In addition, even though state law requires parishes to provide suitable shelters or facilities, 11 parishes have not done so because of a lack of funding. State law also allows local governing authorities to establish dog and cat license and registration fees to help operate their animal control programs, but not all have done so.

While in January 2020 Louisiana was ranked seventh nationally for its animal protection laws, we found more needs to be done to improve the investigation, prosecution, and prevention

The Honorable Patrick Page Cortez,
President of the Senate
The Honorable Clay Schexnayder,
Speaker of the House of Representatives
May 5, 2021
Page 2

of animal cruelty and abuse. The extent to which animal cruelty exists in Louisiana is not fully known because the data on animal cruelty and abuse is not centralized or readily available to the public. Lack of local ordinances related to companion animals also inhibits prosecution of such cases.

In addition, the lack of training for law enforcement and prosecutors regarding animal cruelty and abuse, and the linkage of animal cruelty to other violent crimes could result in a failure to protect not only abused animals, but also the families and communities in which these animals live.

We found as well that Louisiana does not have a statewide initiative to reduce the population of homeless and stray animals. The lack of low-cost spay and neuter programs, along with the lack of public education on responsible pet ownership, contributes to pet overpopulation. Some public animal control shelters noted their biggest challenges are the overwhelming number of stray animals and the lack of funding and access to spay and neuter services. Other states use a combination of state appropriations, license plate sales, fees, and donations to fund their pet overpopulation programs, which include spay and neuter surgeries as well as public education and outreach.

The report contains our findings, conclusions, and recommendations. I hope this report will benefit you in your legislative decision-making process.

We would like to express our appreciation to LDAF, the Louisiana Board of Veterinary Medicine, the Louisiana Department of Health's Infectious Disease Epidemiology Program, the Louisiana Board of Pharmacy, the Louisiana Pet Overpopulation Council, the Louisiana Sheriffs' Association, the Louisiana Commission on Law Enforcement, the Louisiana District Attorneys' Association, and other stakeholders for their assistance during this audit. We would also like to express our appreciation to the public animal control shelters, sheriffs' offices, and district attorneys' offices that took our survey concerning animal welfare and control.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Mike Waguespack", with a stylized flourish extending to the right.

Michael J. "Mike" Waguespack, CPA
Legislative Auditor

MJW/ch

Louisiana Legislative Auditor

Michael J. “Mike” Waguespack, CPA



The State of Louisiana’s Role in Animal Welfare and Control Activities

May 2021

Audit Control #40200018

Introduction

We evaluated the state of Louisiana’s role in animal welfare and control activities. We conducted this audit because the humane care and treatment of companion animals,¹ such as dogs and cats, when they are in the custody of animal shelters and other facilities,² is important to the public and to public health and safety. Public animal control shelters play a vital role in the community by reuniting animals with their owners, sheltering animals in need, finding homes for animals without a permanent home, and enforcing laws that deal with animal-related crimes (e.g., animal cruelty, dog fighting, animal theft) and public health issues (e.g., animal quarantines to prevent disease outbreaks).

Throughout Louisiana, public animal control shelters have removed animals from situations where they were subjected to cruelty and abuse or living in poor conditions without appropriate medical care. For example:

- In October 2020, a Natchitoches Parish woman was arrested on animal cruelty charges (*see picture on right*) after Natchitoches Parish Sheriff’s deputies found six dogs chained to trees around the exterior of the home, without any food and a small supply of dirty water.³



Source: <https://bit.ly/30rpsUJ>

- In December 2019, a state employee was arrested on animal cruelty and other charges after detectives determined his K9 partner slowly starved to death over several months while being deprived of routine medical treatment.⁴

¹ This report focuses on companion animals (i.e., dogs and cats) only, not livestock, research animals, exotic animals, or wildlife animals.

² Other facilities include non-profit animal shelters, animal rescue organizations, pet shops, pet boarding facilities, etc.

³ <https://bit.ly/30rpsUJ>

⁴ <https://bit.ly/30sOBOQ>

- In July 2018, three men were booked into the Morehouse Parish jail on charges related to the shooting of a dog in a Snapchat video that went viral on Facebook.⁵

Louisiana state law⁶ requires each parish to provide suitable shelters or facilities for dogs seized⁷ and allows parish governing authorities to adopt ordinances that include the *Minimum Standards for Animal Shelters* provided in state law,⁸ including animal shelter construction and operating procedures. Public animal control shelters fall under various branches of local government authority, from police services to the health department, and are ultimately accountable to elected officials and the citizenry. Parishes can also contract this function to a private organization. For example, the Louisiana Society for the Prevention of Cruelty to Animals (LSPCA) provides animal control services and operates an animal shelter for Orleans Parish, and the Companion Animal Alliance operates an animal shelter for East Baton Rouge Parish. As of January 2021, there are currently 80 public animal control shelters⁹ that have voluntarily registered with the Louisiana Animal Shelter Registry.¹⁰ Parish governments who choose to adopt all the *Minimum Standards for Animal Shelters* as provided in state law are mandated¹¹ to conduct inspections of these shelters at least once every six months and upon receipt of a complaint. Parishes and municipalities may also enact local ordinances to regulate local animal control matters, such as establishing local animal control shelters, requiring dog licensing, and specifying how to handle dangerous and vicious dogs.

A Public Animal Control Shelter/ Dog Pound is a facility for the care of animals which is primarily funded and operated by governing authorities. These shelters are legally required to take in all stray dogs regardless of their temperament, age, or health (since rabies is commonly seen as the most pressing public health concern relating to companion animals), and many voluntarily expand their operations to accept surrendered pets, cats, and other types of animals in need.

Source: Humane Society of the United States (<https://bit.ly/38WbnDm>)

While animal control is largely a function of local government, the legislature recognized the need for the state's advisory role and created the Animal Welfare Commission, effective August 2001. The purpose of this commission was to ensure and promote the proper treatment and well-being of animals. This commission was dissolved in August 2017, and some of its duties were transferred to the Louisiana Department of Agriculture and Forestry (LDAF). LDAF serves in a supporting role to local authorities through its Louisiana Shelter Inspection program, which operates under the guidance of the Louisiana Animal Control Advisory Task Force (Advisory Task Force) within LDAF. Other state entities with a role in animal welfare and control activities include the Louisiana Board of Veterinary Medicine, the Infectious Disease

⁵ <https://bit.ly/3t2hkq3>

⁶ R.S. 3:2774

⁷ The law specifically says dogs, but Louisiana's *Minimum Standards for Animal Shelters* lists requirements for sheltering both dogs and cats.

⁸ R.S. 3:2461 et seq.

⁹ The number of public animal control shelters varies each year because some parishes/municipalities/villages might close or re-open their shelters.

¹⁰ State law requires LDAF to establish and maintain a registry for animal shelters, called the Louisiana Animal Shelter Registry, and allows each parish governing authority to submit to LDAF a list of all public animal control shelters located within the parish's jurisdiction on or before February 1st of each calendar year.

¹¹ R.S. 3:2463

Epidemiology Program within the Louisiana Department of Health, and the Louisiana Board of Pharmacy.

For this audit, we researched other states and best practices, such as the *Guidelines for Standards of Care in Animal Shelters* by the Association of Shelter Veterinarians (ASV) and the *National Animal Care & Control Association's Guidelines*, and compared these to Louisiana's practices. We also interviewed multiple stakeholders and conducted a survey of public animal control shelters, sheriffs' offices, and district attorneys' offices. See Appendix B for more detail on our scope and methodology. The objective of this audit was:

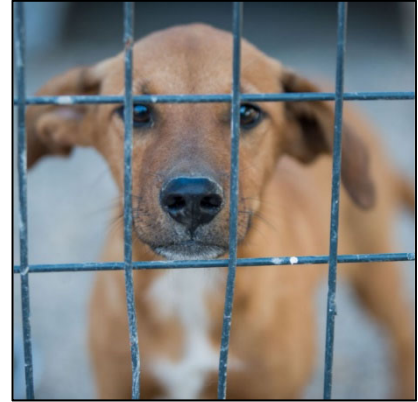
To evaluate the state of Louisiana's role in animal welfare and control activities.

Our results are summarized on the next page and discussed in detail throughout the remainder of the report. Appendix A contains management's response, and Appendix B details our scope and methodology. In addition,

- Appendix C provides a description of animal organizations and facilities that are currently not subject to state oversight;
- Appendix D provides a summary of regulatory and advisory activities conducted by other states;
- Appendix E provides a comparison of "Unacceptable" and "Must" practices to Louisiana's *Minimum Standards for Animal Shelters*;
- Appendix F provides funding sources for agencies with regulatory and advisory activities by state; and
- Appendix G provides a description of the link between animal cruelty and abuse to other violent acts.

Objective: To evaluate the state of Louisiana's role in animal welfare and control activities.

Overall, we found that Louisiana should expand and strengthen its role in animal welfare and control activities to better ensure the humane treatment of animals in different types of facilities that care for them. Specifically, we found:



Source: <https://bit.ly/3emk39V>

- State entities do not have sufficient legal authority in state law to effectively regulate animal welfare and control activities. Although LDAF serves in an advisory role to public animal control shelters, no state entity has regulatory oversight of any animal facility, including boarding facilities, grooming facilities, and rescue organizations.** Thirty-one other states require that at least some facilities involved with animal welfare and control be licensed or registered with the state.
- State law does not require that Louisiana's public animal control shelters adopt or follow the *Minimum Standards for Animal Shelters*. In addition, these standards do not align with nationally-recommended practices.** For example, we found that nine (45.0%) of 20 practices deemed unacceptable by the Association of Shelter Veterinarians' (ASV) *Guidelines for Standards of Care in Animal Shelters* are not specifically prohibited in Louisiana's standards. In addition, Louisiana's standards do not include practices that are considered essential, such as ensuring sufficient staff hours to meet the needs of animals in a shelter.
- Louisiana lacks consistent and reliable sources of funding for animal welfare and control activities, including funding for state entities and local shelter operations. In addition, even though state law¹² requires parishes to provide suitable shelters or facilities, 11 parishes have not established public animal control shelters because of lack of funding.** State law also allows local governing authorities to establish dog and cat license and registration fees for the operation of their animal control programs, but not all local governing authorities have done so.
- While in January 2020 Louisiana was ranked seventh nationally for its animal protection laws, more needs to be done to improve the investigation, prosecution, and prevention of animal cruelty and abuse in the state to ensure compliance with those laws.** The extent to which animal cruelty exists in Louisiana is not fully known, because data on animal cruelty and abuse is not centralized or readily available to the public. Lack of local ordinances on

¹² R.S. 3:2774

companion animals inhibits prosecution of such cases. In addition, lack of training for law enforcement and prosecutors regarding animal cruelty and abuse, and its linkage to other violent crimes could result in failure to protect not only abused animals, but the families and communities in which these animals live.

- **Louisiana does not have a statewide initiative to reduce the population of homeless and stray animals unlike some other states. Lack of low-cost spay and neuter programs, along with a lack of public education on responsible pet ownership, contribute to pet overpopulation. According to stakeholders, thousands of animals die each year in the state due to overpopulation and abandonment.** Some public animal control shelters noted their biggest challenges are the overwhelming amount of stray animals and the lack of funding and access to spay and neuter services. Other states use a combination of state appropriations, license plate sales, fees, and donations to fund their pet overpopulation programs, which include spay and neuter surgeries as well as public education and outreach.

More information on each of these areas is summarized in the sections below. Matters for legislative consideration to address these areas are on page 26.

State entities do not have sufficient legal authority in state law to effectively regulate animal welfare and control activities. Although LDAF serves in an advisory role to public animal control shelters, no state entity has regulatory oversight of any animal facility, including boarding facilities, grooming facilities, and rescue organizations.

Multiple state entities have responsibilities related to animal welfare and control in Louisiana. However, state law does not give these entities sufficient authority to regulate public animal control shelters and other types of facilities that care for animals, including non-profit rescues, boarding facilities, and breeders.

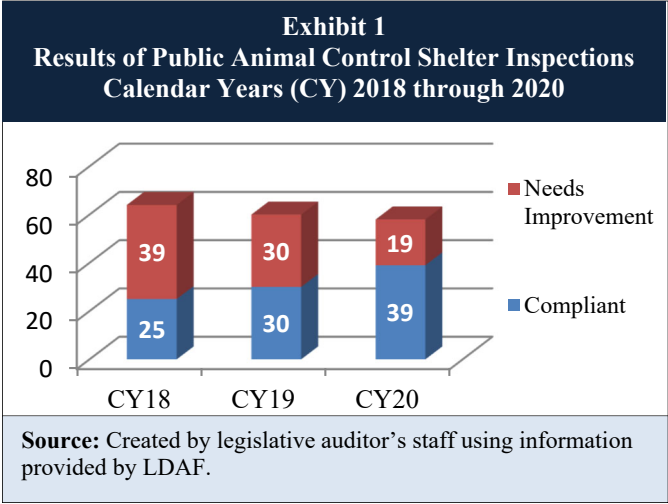
LDAF conducts periodic inspections of public animal control shelters, but state law limits their role as advisory instead of regulatory, and it receives no funding for its activities. Act 422 of the 2017 Regular Session created the Louisiana Animal Control Advisory Task Force (Advisory Task Force) within LDAF. The Advisory Task Force consists of seven members, appointed by the Commissioner of Agriculture, who meet annually and serve in an advisory capacity but have no regulatory authority. LDAF's primary responsibilities include the following:

- Maintaining a voluntary registry of public animal control shelters.** State law¹³ allows for the voluntary registration of public animal control shelters with LDAF for the purpose of enabling the Advisory Task Force to perform its duties. As of January 2021, a total of 80 public animal control shelters voluntarily registered with LDAF. LDAF uses this registry to identify public animal control shelters for inspection purposes and updates this list annually by calling public animal control shelters on the registry to verify if these shelters are still operating.
- Conducting periodic inspections of public animal control shelters.** The purpose of the Shelter Inspection Program is to assist public animal control shelters in achieving their goals of offering a quality, effective shelter to the animals and communities they serve. Through the Louisiana Shelter Inspection program, LDAF conducts inspections to evaluate shelter operations, including adherence to the Louisiana’s *Minimum Standards for Animal Shelters*, infection control, and animal euthanasia. LDAF identifies shelters as either "compliant" or "in need of improvement" regarding their compliance with the *Minimum Standards for Animal Shelters* and provides recommendations to the local governing authority and shelter leadership for improvements to facilities and operations.

According to our survey of public animal control shelters, 27 out of 30 (or 90.0%) responding public animal control shelters stated that they are inspected by LDAF and find these inspections useful.

Source: 2020 LLA Animal Welfare and Control Survey for Public Animal Control Shelters

While state law does not require LDAF to conduct inspections on a routine or scheduled basis, the department tries to inspect each public animal control shelter at least once every year. According to multiple stakeholders and survey responses (*see text box above*), these state inspections are valuable because they provide information to local governments about what needs to be done to correct any issues at their shelters. However, because state law limits LDAF’s role to advisory, it cannot require that public animal control shelters comply with recommendations. LDAF conducted a total of 194 inspections of 78 public animal control shelters from August 1, 2017, through December 31, 2020. LDAF inspection reports from calendar years 2018 to 2020 showed that, while adherence to the *Minimum Standards for Animal Shelters* has improved over time, many public animal control shelters are still in need of improvement. As Exhibit 1 shows, the number of public animal control shelters found in compliance increased by 56%, from 25 in calendar year 2018 to 39 in calendar year 2020.



¹³ R.S. 3:2366

Although inspections have increased adherence to the *Minimum Standards for Animal Shelters*, some public animal control shelters still have persistent issues. During calendar years 2018 through 2020, LDAF conducted 54 inspections of 20 public animal control shelters that were designated as “in need of improvement” in consecutive annual inspections. The most common deficiencies from these inspections are summarized in Exhibit 2.

| Exhibit 2 Most Common Deficiencies of Public Animal Control Shelters in Need of Improvement Calendar Year 2018 through 2020 | |
|--|-----------------------------------|
| Standard | Number of Deficiencies Identified |
| Water (hot and cold) and electric power. | 35 |
| Ventilation adequately ventilated to provide for the health and comfort of the animals at all times. Auxiliary ventilation, such as exhaust fans and vents of air conditioning, shall be provided when the ambient temperature is 85 degrees Fahrenheit or higher. | 27 |
| Floors and walls of animal holding areas, smooth, impervious to moisture and cleanable. | 26 |
| Structural strength, adequate for containment, safety, and to prevent harm and injury. | 24 |
| Shelter personnel training and documentation. | 24 |
| Structurally sound and maintained in good repair to protect the dogs and cats from injury, to contain them, and to keep predators out. | 23 |
| Shelter grounds maintained and free of standing water, trash, and debris. | 22 |
| Source: Created by the legislative auditor’s staff using information provided by LDAF. | |

LDAF receives no funding for its activities related to animal welfare and control. Act 422 of the 2017 Regular Session did not include funding or means of financing for these inspections or any other activity related to animal welfare and control. As a result, LDAF used its operating budget for the Veterinary Health Division to fund its activities. Having a dedicated source of funding is important, because, according to state law,¹⁴ the Advisory Task Force can become inactive if LDAF does not receive the necessary funds, incurs a reduction in funds, or receives insufficient monies to fund or continue the Advisory Task Force. Currently, LDAF’s Shelter Inspection program staff consists of a full-time program manager and a part-time program liaison. During fiscal years 2018 through 2020, LDAF spent a total of \$162,072 on the Shelter Inspection program, as shown in Exhibit 3. Information on potential funding sources for LDAF is discussed on page 18.

| Exhibit 3 Shelter Inspection Program Expenditures For the Period of 08/01/2017 through 06/30/2020 | |
|---|------------------|
| Fiscal Year | Amount |
| 2018 | \$45,705 |
| 2019 | 55,136 |
| 2020 | 61,231 |
| Total | \$162,072 |
| Source: Prepared by the legislative auditor’s staff using information provided by LDAF. | |

The Louisiana Board of Veterinary Medicine, the Infectious Disease Epidemiology Program, and the Louisiana Board of Pharmacy also have duties related to animal welfare and control. Their primary duties related to animal welfare and control as well as the limits to their authority are summarized below:

¹⁴ R.S. 3:2364(G)

- **The Louisiana Board of Veterinary Medicine (the Board) licenses veterinarians and certifies registered veterinarian technicians and animal euthanasia technicians. However, state law exempts employees of federal, state, or local government from veterinary license requirements.** The Board is responsible for examining and determining the qualifications and fitness of applicants for a license to practice veterinary medicine in the state to safeguard the public from incompetent and dishonest practitioners of veterinary medicine. However, because state law¹⁵ exempts employees of state or local government from veterinary license requirements when performing their official duties, the Board does not have regulatory authority of these employees unless licensed. The Board also certifies euthanasia technicians who work in shelters and requires that training and continuing education be met.
- **The Infectious Disease Epidemiology (IDE) Program is responsible for rabies surveillance and response in the state. However, state law does not give the program the authority to ensure public animal control shelters comply with rabies laws.** State law¹⁶ mandates that the Louisiana Department of Health (LDH) enact in the *State Sanitary Code* all necessary provisions concerning the requirements for the control of rabies in animals, including the authority of parishes and municipalities to enact local ordinances, the reporting of incidences of the disease, and the enactment of enforcement provisions. For example, the *State Sanitary Code* requires that when any dog or cat bites a human, that animal must be confined by the public animal control shelter or another custodian of the animal for a minimum of 10 days following the bite. However, according to the IDE program, some public animal control shelters do not fully cooperate with rabies surveillance and control duties, and state law does not give the Office of Public Health the authority to require that shelters comply with these requirements.
- **The Louisiana Board of Pharmacy is responsible for regulating the substances used by public animal control agencies to humanely euthanize animals.** However, the state law is outdated and does not reflect the current practices used by the Louisiana Board of Pharmacy to regulate controlled substances. State law¹⁷ requires public animal control facilities to obtain a permit from LDH prior to purchasing, possessing, or administering sodium pentobarbital for the humane euthanasia of animals. State law¹⁸ also requires LDH to inspect any such permitted public animal control facilities to determine compliance with state law and any promulgated rules or regulations. Act 676 of the 2006 Regular Session, transferred these functions over to the Louisiana Board of Pharmacy. In contrast to the state law, the Board of Pharmacy requires authorized personnel (i.e., licensed veterinarian, registered veterinarian technician, or certified

¹⁵ R.S. 37:1514

¹⁶ R.S. 40:1269.3

¹⁷ R.S. 40:1032

¹⁸ R.S. 40:1035

euthanasia technician) to obtain a Controlled Dangerous Substances license. The Louisiana Board of Pharmacy inspects certified euthanasia technicians to determine compliance with the controlled substances regulations every two years.

State law does not give any state entity regulatory oversight of other types of animal facilities and businesses, including boarding facilities, grooming facilities, and rescue organizations.¹⁹ As a result, these facilities are not inspected or required to follow a minimum set of standards for the care of animals.

Unlike other states, Louisiana does not require that any facility involved with animal welfare and control obtain a license or register with the state. Appendix C provides a description of other animal organizations and facilities that are currently not subject to state regulatory oversight. Licensing/ registration and inspections of animal facilities are important to ensure that the same standards of animal care are provided by all facilities that deal with animals. State regulatory oversight, such as licensing/registration and inspections, is important as recent news reports have shown issues at some facilities that may have been prevented or identified sooner if these facilities were subject to state oversight. For example:



Source: <https://bit.ly/2OhwIzZ>

- In July 2020,²⁰ Pointe Coupee Animal Services accepted 37 dogs and five cats rescued from the Catahoula Urban Tails, a non-profit humane society. According to this news report, the animals were living in filthy and squalid conditions with empty food and water bowls, the majority needed immediate veterinary care, and three of the puppies died within days of being rescued.
- In February 2021,²¹ a Lafayette dog trainer operating a business at his home pleaded guilty to 14 misdemeanor animal abuse charges, and Lafayette Animal Control recovered 25 dogs from his house. One of the recovered dogs was 24 to 48 hours away from death and could not continue training to be a service dog because of the trauma.

These news reports illustrate the danger of not having state regulatory oversight over animal facilities and businesses to ensure the humane care and treatment of animals in their custody. Louisiana only requires that public animal control shelters *voluntarily* register with

¹⁹ The federal Animal Welfare Act (AWA) requires that basic standards of care and treatment be provided for certain animals bred and sold for use as pets, used in biomedical research, transported commercially, or exhibited to the public. The AWA requires that all individuals or businesses dealing with animals covered under the law must be licensed or registered with the U.S. Department of Agriculture. However, animal shelters and pounds are regulated only if they sell dogs or cats to dealers or research facilities. In addition, certain facilities are exempt from these federal licensing requirements including small-scale breeders, retail pet stores, anyone who sells animals directly to owners in person, and boarding kennels.

²⁰ <https://bit.ly/2OhwIzZ>

²¹ <https://bit.ly/3ckejdQ>

LDAF. In contrast, we found that 31 (93.9%) of 33 states with regulatory and advisory activities have mandatory licensure or registration requirements for public animal control shelters or other types of animal facilities. For example, Massachusetts requires registration of animal shelters and rescue groups, as well as licensure of pet shops and animal research facilities to ensure the general welfare of animals across the state. Exhibit 4 explains the difference between licensing and registration requirements, and Appendix D provides a summary of the states with regulatory and advisory activities in animal welfare and control, including what types of facilities and businesses have license/registration and inspection requirements.

| Exhibit 4 Difference Between Licensing and Registration | |
|--|--|
| Regulatory Activity | Description |
| Licensure | <p>Licensure is the formal recognition that a licensed animal organization has maintained all the necessary qualifications to practice that profession in that state. Typically, licensure requirements include some combination of education, training, and examination to demonstrate competency, as well as continuing education and, for some, periodic re-examination. Licensure helps to ensure that an animal organization meets the animal care and public safety standards set by the state.</p> <p><i>For example, New York State requires a pet dealer license for certain pet stores, pet brokers, breeders, and non-incorporated rescues. Licensure is contingent upon successful inspections, compliance with the minimum standards of animal care, and payment of an annual licensure fee.</i></p> |
| Registration | <p>Registration programs notify the state and inform the public of which animal organizations are engaged in that specific practice. A typical registration program involves satisfying limited requirements – typically, non-practice related items, such as having insurance – and the state, in turn, placing that organization on the pertinent registry. Registration programs are generally used when the risk of public harm is relatively low, but nevertheless present.</p> <p><i>For example, New York State requires animal shelters, rescue organizations, and other non-profit entities that offer animal adoptions to register with the Department of Agriculture and Markets. Shelters and rescues must fill out an application, pay a non-refundable annual registration fee, and receive a Pet Shelter and Rescue Dealer Registration Number.</i></p> |
| Source: Prepared by the legislative auditor's staff based on review of other states laws and regulations. | |

Requiring animal facilities and businesses to be licensed/registered would help ensure they follow minimum standards of care and are subject to inspections. Of the 33 other states with regulatory and advisory activities, all have established animal care requirements for animal facilities, and 31 (93.9%) monitor those facilities for compliance through inspections. For example, Missouri requires routine annual and complaint-based inspections of animal facilities, including animal pounds, animal shelters, boarding kennels, and pet shops. Pennsylvania also has strict inspection requirements, including a pre-license inspection and two required inspections per year of different types of kennels, such as pet shop kennels, dealer kennels, and rescue network kennels.

State law does not require that Louisiana’s public animal control shelters adopt or follow the *Minimum Standards for Animal Shelters*. In addition, these standards do not align with nationally recommended practices.

Louisiana developed the *Minimum Standards for Animal Shelters* (minimum standards) in state law in 1985 and updated them in 2010, 2017, and 2019. Louisiana state law²² requires each parish to provide suitable shelters or facilities for dogs seized²³ and allows parish governing authorities to adopt ordinances that include the *Minimum Standards for Animal Shelters* as provided in state law.²⁴ Louisiana’s minimum standards include general standards, such as training requirements; shelter construction standards including ensuring adequate heat, ventilation, and lighting; and operating standards, such as providing fresh food and water. However, state law²⁵ does not mandate that the parish governing authority, public animal control shelters, or any other animal organizations adopt or follow these standards.

Louisiana’s minimum standards for public animal control shelters do not meet recommended practices. In calendar year 2010, the Association of Shelter Veterinarians (ASV) released *Guidelines for Standards of Care in Animal Shelters* to provide communities and animal welfare organizations with minimum standards of care, as well as best practices.²⁶ In calendar year 2014, the American Society for the Prevention of Cruelty to Animals (ASPCA) created a checklist of the ASV guidelines²⁷ to help animal welfare organizations use them more easily by assigning each standard into one of four practices: must, should, ideal, and unacceptable. Some stakeholders we interviewed noted that Louisiana’s minimum standards do not meet all of ASV’s recommended practices.

We compared Louisiana's minimum standards to “Unacceptable” and “Must” practices as defined in the textbox, and found that nine (45.0%) of 20 “Unacceptable” practices are not specifically prohibited by Louisiana's state law, as shown in Appendix E. For example, the following “Unacceptable” practices are not prohibited in Louisiana’s minimum standards:

- Operating beyond an organization’s capacity for care, which means an

Unacceptable Practice means that no sheltering organization, regardless of its circumstances, should engage in these practices, and they must be corrected without delay.

Must Practice means that the delivery of a minimum level of acceptable or humane care is not possible without adherence to this recommendation

Source: American Society for the Prevention of Cruelty to Animals checklist

²² R.S. 3:2774

²³ The law specifically says dogs, but Louisiana’s *Minimum Standards for Animal Shelters* lists requirements for sheltering both dogs and cats.

²⁴ R.S. 3:2461

²⁵ R.S. 3:2461 et seq. and Attorney General Opinion No. 00-261 of 2000

²⁶ ASV developed these Guidelines to allow communities and animal welfare organizations of all types and sizes to identify minimum standards of care, as well as best and unacceptable practices:

<https://www.sheltervet.org/guidelines-for-standards-of-care-in-animal-shelters>.

²⁷ <https://www.aspcapro.org/resource/shelter-checklists-based-asv-guidelines>

organization takes in more animals than it has space and staffing for.

- Using long-term confinement of any animal, including feral or aggressive animals, when the animal cannot be provided with basic care, daily enrichment, and exercise without inducing stress.
- Grouping animals randomly instead of appropriately matching them by age, sex, health, and behavioral compatibility after a health and behavior evaluation.

In addition, one of the “Unacceptable” practices – *tethering*, which is securing animals with a rope, chain, or other device to a fixed point in order to restrict their movement – is allowed in Louisiana's minimum standards and in state law under certain circumstances.²⁸ According to a March 2019 news report,²⁹ the discovery of two chained dogs, one dead and the other apparently malnourished, led to the arrest of their owner on charges of animal cruelty. While this example does not relate to tethering in a public animal control shelter, it highlights why this practice is listed as “unacceptable” by ASV.

We also compared 20³⁰ of 234 “Must” practices to Louisiana's minimum standards and found that 15 (75%) of them are not specifically addressed by Louisiana's minimum standards, as shown in Appendix E. For example:

- Staffing or volunteer work hours must be sufficient to ensure that the basic needs of animals in the shelter are met each day.
- Dogs must be provided with daily opportunities for activity outside of their runs for aerobic exercise.
- During transport, animals must have adequate space, comfortable environmental conditions and good air quality.

According to LDAF, although state law does not include all ASV recommended practices, it developed the “Louisiana Animal Control Advisory Task Force Shelters Best Practice Self-Assessment” in calendar year 2019 that is made available to all public animal control shelters. This tool includes many of the ASV’s recommended practices.

²⁸ R.S. 14:102.26(C)

²⁹ <https://bit.ly/3eiwOKm>

³⁰ We judgmentally selected 20 “Must” practices that can be evaluated by LDAF staff, who are not veterinarians, during inspections. These practices are written to address animal welfare on a more global scale similar to state law (which makes them a useful basis for comparison to Louisiana law) rather than on a detailed scale (e.g., operations manuals).

Louisiana lacks consistent and reliable sources of funding for animal welfare and control activities, including funding for state entities and local shelter operations. In addition, even though state law³¹ requires parishes to provide suitable shelters or facilities, 11 parishes have not established public animal control shelters because of lack of funding.

Multiple stakeholders noted that lack of sufficient funding and inadequate facilities are problems in public animal control shelters, particularly in rural areas. Stakeholders described some shelters as consistently overcrowded, with untrained officers, and with poor vaccination and euthanasia protocols. As discussed previously, LDAF inspection reports also documented inadequate conditions at many shelters that could be addressed with more resources.

Local government authorities decide the amount of funding for their animal control shelters based on need or priority as well as available funding. Local funding of animal control programs can come from different sources, including ad valorem taxes, property taxes, local general funds, or other special use funds. For example, on December 8, 2018, the voters of Ascension Parish approved a 1-mill, parish-wide annual property tax assessment designated to their public animal control shelter, resulting in a projected \$1.44 million in funding a year. Depending on the funding mechanism used, the amount of funding available for animal control programs varies between jurisdictions and is largely dependent on the local government's priorities.

According to our survey of public animal control shelters, the 30 that responded identified three major sources of revenues for their animal control programs: parish/municipal revenue sources, self-generated fees (e.g., adoption fees, mandatory registration, and licensing of dogs and cats, etc.), and donations. Exhibit 5 provides examples of local funding for selected public animal control shelters based on publicly available budget information for fiscal year 2019. In order to compare animal welfare and control spending between parishes and municipalities with different populations, the "Per Capita Spending" column in Exhibit 5 provides the average amount spent on each public animal control shelter per person in that jurisdiction.

³¹ R.S. 3:2774

| Exhibit 5 | | | |
|--|-------------------------|--------------------|----------------------------|
| Parish and Municipal Budgets for Selected Public Animal Control Shelters | | | |
| Fiscal Year 2019 | | | |
| Jurisdiction | Budgeted Amounts | Population* | Per Capita Spending |
| Parishes | | | |
| Plaquemines Parish | \$400,172 | 23,338 | \$17.1 |
| Terrebonne Parish | \$1,318,676 | 112,054 | \$11.8 |
| Livingston Parish | \$99,260 | 138,928 | \$0.7 |
| Municipalities | | | |
| City of Walker | \$267,200 | 6,261 | \$42.7 |
| City of Sulphur | \$362,560 | 20,113 | \$18.0 |
| City of Ruston | \$282,484 | 21,976 | \$12.9 |
| Note: Fiscal years vary between jurisdictions | | | |
| * US Census Bureau, 2015-2019 American Community Survey 5-Year Estimates | | | |
| Source: Prepared by the legislative auditor's staff using publicly available financial data and U.S. Census Bureau population data. | | | |

Even though state law³² requires parishes to provide suitable shelters or facilities for dogs seized, some parishes do not. According to the Louisiana Animal Shelter Registry and parish officials, the following 11 parishes do not have public animal control shelters as of August 18, 2020: Caldwell, Catahoula, Claiborne, East Carroll, Madison, Red River, Richland, St. Helena, St. James, Tensas,³³ and Union parishes. Many of these areas do not have funds to establish animal control services. According to Union Parish officials, a proposed tax to fund an animal control shelter failed in November 2012. Officials from Catahoula, Claiborne, Madison, St. Helena, and St. James parishes also cited lack of funding for the construction and operation of public animal control shelters as a reason for not having a shelter.

Local governing authorities can obtain additional funding for their public animal control shelters and increase compliance with state rabies laws by mandating the registration and licensing of all owned dogs and cats. State law³⁴ allows local governing authorities to establish by ordinance a requirement for licensure and registration of cats and dogs, and to annually collect license fees of no more than \$10 for each spayed and neutered dog or cat, and not more than \$20 for each non-spayed or unneutered dog or cat. These funds must be dedicated solely to the capture, control, and housing of stray animals. Parish requirements for licensure and registration vary by jurisdiction. For example, a review of local ordinances for some parishes provides the following:

- East Baton Rouge and Calcasieu Parishes require a licensed veterinarian to perform annual licensure and registration of animals upon proof of rabies vaccination, and require their animal control agencies to furnish veterinarians

³² R.S. 3:2774

³³ Even though Tensas Parish does not have a public animal control shelter, it does have an Animal Control Officer. Dogs are delivered to Concordia Paws for rehoming.

³⁴ R.S. 3:2772

with collar tags for such animals containing a license number and the year for which such tag is issued.

- Cameron Parish requires veterinarians to issue a vaccination certificate and a vaccination tag to the owner of the dog at the time of the vaccination, which must be done annually. This certificate must then be presented to the parish health officer for registration of any dog or other animal of the canine species.

While state law allows local governing authorities to establish dog and cat license and registration fees for the operation of their animal control programs, not all local governing authorities have done so. For example, while Caddo Parish requires annual rabies vaccinations, it does not require licensing for cats and dogs, and Claiborne and St. Helena Parishes do not have any requirements for rabies vaccinations, licensure, or registration of cats and dogs in its local ordinances.

In comparison, East Baton Rouge Parish requires owners to annually register all dogs and cats through their local veterinarian, which in fiscal year 2019 generated \$673,930 in license fees for parish animal control services. According to the Advisory Task Force, in addition to other benefits (*see text box on right*), mandatory registration and licensing laws can help increase compliance rates with the state rabies law, which requires all dogs and cats be vaccinated against rabies by a licensed veterinarian. The Advisory Task Force recommends parish and local jurisdictions incorporate a mandatory registration and licensing law into their local ordinances and that registration and licensing fees be renewed annually. In addition, the Advisory Task Force recommends that animal control and local law enforcement enforce these ordinances.

Benefits of Mandatory Registration and Licensing of Animals:

- Increases owner redemption rates by reuniting lost pets with their owners.
- Increases compliance with rabies vaccination laws.
- Prevents pets from entering the shelter.
- Establishes ownership of a pet.
- Encourages owner responsibility.
- Provides funding to support local animal control efforts, shelter programs, community education, and spay & neuter programs.

Source: The Louisiana Animal Control Advisory Task Force (<https://bit.ly/3tBH50Q>)

Other states use a combination of state appropriations, state and federal grants, pet licenses, and donations to fund their local animal control programs. For example:

- Kentucky's Animal Control Advisory Board uses appropriations from the Kentucky General Assembly to award grants to government agencies for the construction of new animal shelters or renovation of existing shelters.
- Michigan makes appropriations into an Animal Welfare Fund and allows taxpayers to voluntarily contribute to the fund, which is then used for grants to promote spaying and neutering of shelters' dogs and cats prior to adoption, educate the public on the proper care of animals, and provide anti-cruelty training for animal law enforcement personnel.
- Wisconsin requires all dogs to be licensed, charging \$3 for spayed and neutered dogs, and \$8 for non-spayed and unneutered dogs. Fees are deposited into a Dog License Fund, which is allocated to animal welfare and control facilities.

Grants from and partnerships with private animal organizations can help local governing authorities mitigate funding issues for their public animal control shelters.

Nationwide, animal organizations and foundations offer grants for public animal control shelters as well as private animal organizations. These grants can help with projects such as equipment purchases for veterinary care as well as spaying and neutering, kennel renovations, and obtaining equipment that positively impacts the welfare of animals in the shelters. Some public animal control shelters already seek funding opportunities from private sources. For example, in January 2021, St. Charles Parish Animal Shelter announced that it was awarded a \$61,000 grant from ASPCA for disaster preparedness and response. In addition, in calendar years 2018 through 2020, the Bissell Pet Foundation awarded grants to several public animal control shelters for different needs, including emergency response, spay/neuter programs, shelter upgrades and enrichments, and vaccinations.

While LDAF has provided its training module on Grant Seeking to all public animal control shelters by email, it could also provide links to available grants on its website to make it easier for governing authorities to pursue specific funding opportunities which may be directly connected to their efforts. For example, National Animal Care & Control³⁵ as well as The Humane Society of the United States³⁶ provide a list of grant opportunities available for municipal and non-profit animal shelters. Exhibit 6 summarizes examples of grants that are available to public animal control shelters.

³⁵ <https://www.nacanet.org/grant-opportunities/>

³⁶ <https://humanepro.org/grant-listings>

| Exhibit 6 | | | |
|--|---|--|---|
| Grant Opportunities for Public Animal Control Shelters | | | |
| Grant | Purpose | Amount | Website |
| The Meacham Foundation | To assist with projects such as animal environment enrichment, equipment for veterinary care, equipment for spaying/neutering, kennel or cattery renovations, capital campaigns, and equipment that positively impacts the welfare of animals in the shelter. | Any amount up to \$4,000 per fiscal year | https://www.americanhumane.org/initiative/meacham-foundation-memorial-grant/ |
| Petco Foundation | To be developed and proposed by applicants based on animal needs in their communities and providing a positive impact on saving animals' lives in the future. | Can suggest grant amount needed | https://www.petcofoundation.org/partners/investment-opportunities/ |
| ASPCA Disaster Response | To cover expenses incurred or pending in a current or recent disaster on or after April 1, 2020 (e.g., animal rescue, sheltering, food, vet care, etc.), as well as for capacity-building and preparedness for future natural disasters. | Grants range generally from \$25,000 - \$75,000 | https://www.aspcapro.org/grant/2020/10/02/aspcar-disaster-response |
| BISSELL Pet Foundation | To reduce the homeless pet population through adoption, spaying/neutering, and microchipping. | First time grant recipients limited to \$5,000. All awards are capped at \$10,000 | https://www.bissellpetfoundation.org/grants/ |
| Best Friends Animal Society | To reduce the number of cats and dogs killed in shelters. To increase adoptions, transports, returns to owner, rescue group transfers and shelter-neuter-return programs. | A grant of up to \$50,000, with the amount requested not exceeding 10% of operating budget | https://network.bestfriends.org/opportunities/rachael-ray-grants/rachael-ray-save-them-all-grants |
| Source: Prepared by the legislative auditor's staff using publicly available information for each of the above listed grants. | | | |

Lack of consistent and reliable sources of funding contributes to inadequate shelter staffing and high staff turnover. According to stakeholders, low pay and inadequate conditions at shelters hinder their ability to obtain and retain staff. Large public animal control shelters in more populous areas are better able to attract volunteers, but this is more difficult for smaller shelters in rural areas. Sheriffs' offices responding to our survey stated that more personnel and resources at animal shelters would help them in investigating animal cruelty cases. According to the Louisiana Sheriffs' Association, when law enforcement investigates an animal cruelty and abuse case, it needs a place to take the abused animal, feed it, and nurse back it to health.

LDAF inspections have also noted how lack of staffing affects shelter operations. For example, an LDAF inspection documented an unsanitary facility and listed lack of staff as a contributing factor, while another inspection noted that lack of staff at one shelter was negatively affecting its operations. LDAF has recommended on multiple inspections that shelter management evaluate the need for additional staffing to improve capacity for care and support shelter operations.

Lack of funding also affects the shelter's ability to obtain training. Parish governments who choose to adopt all the *Minimum Standards for Animal Shelters* as provided in

state law into their ordinances³⁷ require that shelter personnel annually attend training approved by LDAF, but only if an online training option is available. This is because it is often difficult for public animal control shelters to find the time and money to attend in-person training, such as the Louisiana Animal Control Association's week-long, in-person annual training. To address the training needs of public animal control shelters, LDAF created 15 PowerPoint training modules and disseminated them to public animal control shelters via email. To ensure increased access to these training modules, LDAF could make them available on the LDAF website, along with other online training courses it has approved. For example, Kansas' Department of Agriculture lists presentations from recent seminars covering various topics (such as parasitology, zoonotic diseases, etc.) and provides educational webinars on its website for all licensed animal facilities.

Other states fund regulatory and advisory activities in a variety of ways, such as state appropriations, licensing and registration fees, or combination of thereof, as shown in Appendix F. For example:

- Colorado's Pet Animal Care Facilities Act Program licenses and inspects approximately 2,200 facilities throughout the state. Facilities are required to renew licenses on an annual basis, and the Department of Agriculture charges fees based on the type of the facility, ranging from \$225 to \$600. In fiscal year 2020, the program had a budget of \$802,143, comprised of \$148,876 in General Fund appropriations and \$653,267 from fees charged for licenses and renewals.
- Missouri's Animal Care Facilities Act Program licenses and inspects 2,200 facilities throughout the state. Facilities are required to renew licenses on an annual basis and the Department of Agriculture charges a \$100 licensing fee plus the annual commercial kennel per capita fee (up to \$2,500). During fiscal year 2020, the program had a budget of \$917,838, comprised of \$442,224 in General Fund appropriations and \$475,614 from fees charged for licenses and renewals.
- In Texas, the Department of Licensing and Regulation administers the Licensed Breeder Program, which licenses 145 breeders. The program is financed primarily by licensing fees (\$300 or \$500, depending on the number of non-spayed female animals) and penalties. During fiscal year 2019, the program received \$64,175 in licensing fees and \$10,068 in assessed penalties.

³⁷ R.S. 3:2463(E)

While in January 2020 Louisiana was ranked seventh nationally for its animal protection laws, more needs to be done to improve the investigation, prosecution, and prevention of animal cruelty and abuse in the state to ensure compliance with those laws.

The Animal Legal Defense Fund publishes an annual *U.S. State Animal Protection Laws Ranking Report*³⁸ that assesses the strength of each state's animal protection laws. According to this report published in January 2020, Louisiana was ranked seventh in the nation for its animal protection laws. For example, Louisiana has laws making it illegal to have sex with animals and which require that individuals convicted of animal cruelty are prohibited from owning another animal for the length of time determined by the court. However, while our laws are strong, more needs to be done to improve the investigation, prosecution, and reporting of animal cruelty cases to ensure compliance with these laws.

State law does not require LDAF to inspect public animal control shelters based on information it receives from the public related to animal cruelty or abuse, nor does it require LDAF to forward this information to local law enforcement agencies. Parish governments who choose to adopt all the *Minimum Standards for Animal Shelters* as provided in state law into their local ordinances are required³⁹ to inspect public animal control shelters "promptly" upon receipt of a complaint; however, it does not specify what LDAF should do when the public reports concerns about public animal control shelters to them. On its website, the Advisory Task Force encourages the public to report animal cruelty concerns directly to the local animal control agency or local law enforcement agency. However, the Advisory Task Force itself received 87 instances where the public reported information concerning animal cruelty or abuse through the comment feature on its website from August 1, 2017, through December 31, 2020. Exhibit 7 summarizes these concerns, with the majority alleging animal abuse or cruelty. For example,

- One person reached out to LDAF to request assistance with a dog that was left tethered with no shelter, food, or water outside a trailer without electricity and no resident present.
- One person reached out to LDAF to request help for an elderly couple living outside of the city limits with 25 cats in their garage and no air conditioning, fan, or light.
- One person contacted LDAF because his/her neighbors had a chained dog that was denied appropriate veterinary care. The dog had been chained up for some time, and when it finally was released from the chain, the dog had to drag his two hind legs in order to move around. The person stated his/her neighbors refused to

³⁸ <https://bit.ly/2QaYwH2>

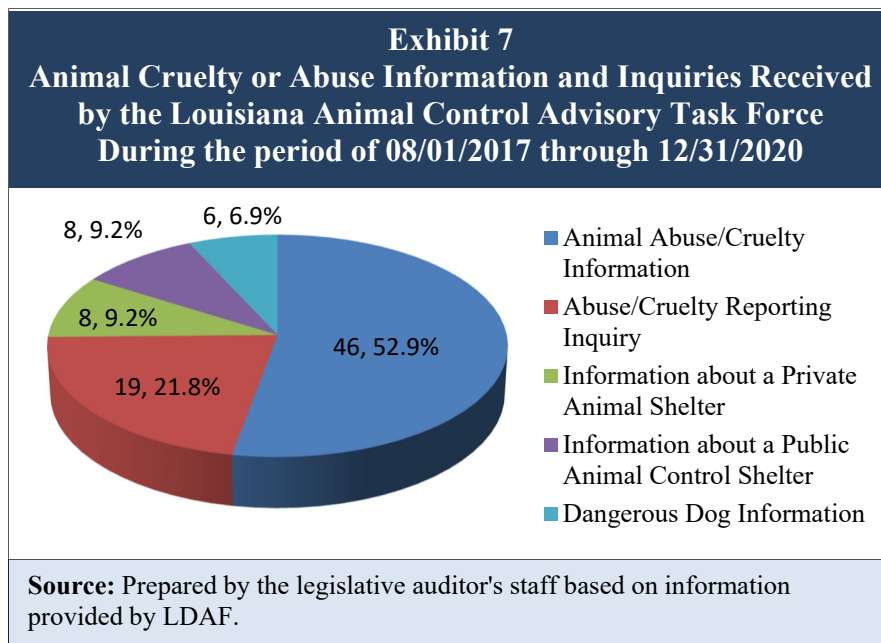
³⁹ R.S. 3:2463(C)(1)

take the dog to the veterinarian, even though there was one just a few minutes away.

- One sheriff's office contacted LDAF because they received a complaint about their local animal shelter and passed this information to LDAF for the purpose of investigation or inspection.

According to LDAF staff, they followed up on all information and inquiries by contacting persons to advise them of the appropriate reporting entity. Although not required by state law, LDAF should consider documenting to whom the information was referred and the outcome of the investigation. LDAF should also consider reviewing any information received about public animal control shelters before their inspections, and consider scheduling

their inspections based on received information. In some cases LDAF forwards information about public animal control shelters to appropriate governing authorities, which may inspect public animal control shelters upon receipt of a bonafide complaint.⁴⁰ In contrast, state agencies in 28 states have the authority to perform complaint-based inspections of animal facilities that are subject to licensure or registration. Conducting inspections based on animal cruelty or abuse information and consistently forwarding animal cruelty or abuse information about any animal facility to the appropriate entities would help ensure that this information is addressed appropriately.



⁴⁰ Since the *Minimum Standards of Animal Shelters* are not mandatory, the R.S. 3:2463 requirement to “promptly” inspect public animal control shelters upon receipt of a bonafide complaint only applies to those parishes that adopted these standards into its ordinances.

The extent to which animal cruelty exists in Louisiana is not fully known because data on animal cruelty and abuse is not centralized or readily available to the public. Since animal cruelty and abuse includes many kinds of mistreatment, from temporarily failing to provide essential care to the malicious killing or repeated torturing of an animal, having data on animal cruelty and abuse readily available to the public is important to properly address the underlying causes and help prevent cases in the future. The FBI has recognized the importance of collecting and reporting animal cruelty data because these crimes are often precursors to other crimes. In January 2016, the Federal Bureau of Investigation (FBI) began collecting data on animal cruelty from nationwide law enforcement agencies. According to the Louisiana Commission on Law Enforcement, there are 501 law enforcement agencies in Louisiana that have personnel as of March 9, 2021. From calendar years 2018 through 2020, 64 (12.7%) reported crime data to the FBI using the Louisiana Incident-Based Reporting System⁴¹. This system enables agencies to report animal cruelty as a separate offense, rather than including it in the “all other offenses” category. As of March 17, 2021, 40 (62.5%) of those 64 law enforcement agencies voluntarily reported a total of 464 animal cruelty offenses in Louisiana to the FBI for calendar years 2018 through 2020. During this timeframe, there was an increase of 88.5% in reported offenses, from 96 in calendar year 2018 to 181 in calendar year 2020. Because many law enforcement agencies still were not able to report animal cruelty cases as a separate offense, the full extent of such crimes in Louisiana is unknown.

Effects of Animal Cruelty:

- 1) **Significant Physical Harm or Death for Animals** - One study of animal cruelty cases in the media in 2003 found that 62 percent of the animal victims were either killed by the perpetrator or had to be euthanized because of their injuries.
- 2) **Public Health Concerns** - In many cases, individuals charged with animal abuse and neglect in hoarding situations have been found to have children or dependent adults living in the same squalid conditions as the animals that are suffering.
- 3) **Co-occurrence of animal cruelty and interpersonal violence** - The underlying conditions that create opportunities for animal cruelty to occur (e.g. stress, deprivation, aggression, mental illness, prior victimization, drug and alcohol use) mirror the risk factors for interpersonal violence, particularly domestic violence, child abuse, and elder abuse. (See Appendix G for more information.)

Source: Problem-Specific Guide on Animal Cruelty (<https://bit.ly/2PL2HJi>) and Investigating & Prosecuting Animal Abuse (<https://bit.ly/3crUD7R>).

While all law enforcement agencies in the state have the responsibility to investigate reports of animal abuse and cruelty, FBI data does not capture all animal cruelty incidents. This is because these cases are often investigated by non-law enforcement agencies such as animal control departments or local nonprofit organizations, and these agencies do not collect data in a format that is compatible with FBI data systems. In addition, there is no centralized database that sheriffs’ offices or district attorney offices use to keep records of their investigations and prosecutions.

Many district attorneys’ offices were unable to provide us with data on how many animal cruelty and abuse cases have previous or current referrals for child abuse, domestic violence, or

⁴¹ Some law enforcement agencies voluntarily submit crime data to the FBI using the Uniform Crime Reports system. Since data in this system is reported as a summary, no statistics on animal cruelty cases are available. The FBI transitioned its crime data collection away from this system in January 2021.

other connected forms of interpersonal violence because data is not automated nor classified in a manner to allow easy identification of such correlation. Not only does the lack of data impede the ability to target prevention, education, and rescue efforts, but it also prevents further analysis of the relationship between animal cruelty and interpersonal violence. The District Attorney's office for East Baton Rouge Parish stated that 43% of animal cruelty cases it investigated over the last five years had some kind of connection to interpersonal violence.

Lack of local ordinances on companion animals inhibit prosecution of animal cruelty cases. Animal control functions in Louisiana are largely delegated to local governments, which enact animal welfare laws for their communities in local ordinances. But some parishes and municipalities have no ordinances for companion animals. In our survey of sheriffs' offices, one office stated that their parish currently has no animal ordinances, and the office has to rely on the state's definition of animal cruelty and state agriculture codes when investigating animal cruelty and abuse cases. Local ordinances are important in preventing animal cruelty and abuse because they can eliminate gaps in state law where the specific needs and concerns of a particular community may not be addressed, as shown in the textbox on the right. Also, because of various factors such as personnel, budget, space, etc., local jurisdictions may wish to establish their own distinct standards for enforcing animal cruelty and abuse laws. For example, East Baton Rouge Parish's ordinance includes the exact steps law enforcement has to follow to ensure that both the rights of the owner and the animal are preserved. Specifically, a law enforcement officer cannot seize an animal that is confined without food and water. However, if an animal is observed without necessary food, water, or proper veterinary care for more than 24 consecutive hours, the officer can enter private property to supply food and water.

According to a March 2021 news report, 150 dogs were seized by the St. Landry Animal Control from an alleged puppy mill hidden inside a large home in St. Landry Parish. The seized dogs had health issues ranging from ear bites, infections, umbilical cord issues, and broken jaws and were sold online for prices between \$950-\$3,000. According to this news report, the assistant district attorney for St. Landry Parish started drafting new parish ordinances to allow those who mistreat animals to face harsher punishments.

Source: <https://bit.ly/31QWsXb>

Lack of training for law enforcement and prosecutors regarding animal cruelty and abuse, and its linkage to other violent crimes could result in failure to protect not only abused animals, but the families and communities in which these animals live. In order to be commissioned as a peace officer in Louisiana, all persons must successfully complete a minimum of 400 hours of the Peace Officer Standards and Training (POST)⁴² Basic Curriculum. According to LCLE staff, Animal Abuse and Cruelty training is part of the POST Basic Curriculum. However, state law does not specifically require all peace officers to have animal cruelty and abuse training, and 20 (86.9%) of 23 sheriffs' offices who responded to our survey stated that they do not receive annual training on animal cruelty and abuse. Six (40.0%) of 15 responding sheriffs' offices stated that better animal cruelty and abuse training for both law enforcement and animal control agencies could improve animal welfare and control in Louisiana.

⁴² R.S. 40:2403 *et seq.* establishes the Council on Peace Officer Standards and Training (POST) under the jurisdiction of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice (LCLE), and tasks this Council with the establishment and implementation of training requirements for peace officers.

District Attorneys' Offices also stated that training on animal cruelty and abuse for both prosecutors and law enforcement would be beneficial. In Louisiana, there are no specific training requirements for district attorneys regarding animal welfare and control. However, the Louisiana District Attorneys' Association, with the Humane Society of the United States, co-sponsored two webinars in May and September of 2020, and in-person training in April 2019 on animal cruelty and abuse for district attorneys. In our survey of district attorneys' offices, 19 (or 90.5%) out of 21 responding district attorneys stated that they do not receive annual training on animal cruelty and abuse.

Louisiana does not have a statewide initiative to reduce the population of homeless and stray animals unlike some other states. Lack of low-cost spay and neuter programs, along with a lack of public education on responsible pet ownership, contribute to pet overpopulation. According to stakeholders, thousands of animals die each year in the state due to overpopulation and abandonment.

According to stakeholders, thousands of innocent animals experience pain and death each year in the state of Louisiana due to pet overpopulation and abandonment. Furthermore, scores of animals are collected by animal control agencies and, if not adopted, are euthanized. Pet overpopulation can be caused by individuals who allow their pets to reproduce without considering the need to find homes for the offspring, as well as by owners relinquishing pets they no longer want or are able to keep.



Source: <https://bit.ly/3s3BmQP>

The Association of Shelter Veterinarians states that high-quality, high-volume spay-neuter programs serve an important role in preventing reproduction and reducing subsequent animal overpopulation, thereby reducing shelter impoundment and the euthanasia of cats and dogs. In addition, the National Animal Care and Control Association (NACA) guidelines state that spaying and neutering education programs must be a vital part of any animal care and control agency's efforts to reduce animal overpopulation.

The Louisiana Pet Overpopulation Advisory Council provides low-cost pet-sterilization grants to eligible providers for indigent pet owners. Act 85 of the 2002 First Extraordinary Session established the Louisiana Pet Overpopulation Advisory Council within the Office of the Governor to provide low-cost pet-sterilization grants by licensed veterinarians to eligible participants. Any indigent pet owner on public assistance, including but not limited to the Food Stamp Program, the Supplemental Security Income Program, and the Temporary Assistance for Needy Families Program, qualifies for low-cost services. Any state-licensed veterinarian, veterinary hospital, or non-profit organization may apply to the Council for these grants. Apart from small donations to the Council given by the public, the Council's primary funding mechanism is through the sale of "Animal Friendly" license plates for motor vehicles, as shown in the picture above. According to the Council, it typically collects \$25,000 per year from the sale of license plates and meets twice a year to distribute those funds through grants ranging from \$1,000 to \$3,000. According to the Council, these grants have some impact but are not enough to fully address the pet overpopulation problem in the state.



Source:

<https://www.louisianapetoverpopulation.org/>

Some public animal control shelters noted their biggest challenges are the overwhelming number of stray animals and the lack of access to spay and neuter services. The increased number of strays affects the ability of shelters to house all the animals, and the lack of animal control services and spay and neuter programs in surrounding parishes further strains their resources. While spaying and neutering helps reduce the number of strays and unwanted animals in a community, the costs associated with spaying and neutering are prohibitive to some owners. Some larger parishes administer their own low-cost spay and neuter programs. For example, Lafourche Parish Animal Shelter administers a low-cost spay and neuter program for parish residents, and St. Tammany Parish provides Spay and Neuter Vouchers to its residents to help with the cost of spaying and neutering pets or feral cats. However, according to stakeholders, the lack of veterinarians in rural areas contributes to the high cost of spay and neuter surgeries in comparison to urban areas. Having a state spay and neuter program assisting smaller, rural parishes could help with pet overpopulation control. Some other states administer statewide spay and neuter programs. For example, the Maryland Department of Agriculture provides grants to local governments and animal welfare organizations, which use these grants to provide free spay and neuter services to dogs and cats of low-income owners and to colonies of feral cats.

Public education on the humane treatment of animals, responsible pet ownership and the importance of spaying and neutering would also help to reduce pet overpopulation. According to the American Veterinary Medical Association, dog and cat population control strategies must involve education, research, and public policy, and it states that comprehensive public education campaigns to prevent relinquishment require the commitment and cooperation of state and local governmental agencies, humane organizations, and veterinary associations. Some parishes have created education campaigns targeting the public. For example, LSPCA, a non-profit animal organization with a contract with Orleans Parish, provides teacher resources on humane education, presentations at schools, and pet parent information resources on its website.

Other states have public education outreach programs focusing on the health benefits of spaying and neutering animals as well as useful information for animal owners on their websites. For example, the Kentucky Animal Control Advisory Board's website lists health benefits from spaying and neutering cats and dogs for the owner, the pet, and the community.

Other states use a combination of state appropriations, license plate sales, fees, and donations to fund their pet overpopulation programs, which include spay and neuter surgeries as well as public education and outreach. For example:

- Maryland's Department of Agriculture has a dedicated Spay and Neuter Fund with the purpose of reducing animal euthanasia rates and shelter overpopulation by providing grants to local governments and animal welfare organizations. The fund is supported through a \$100 fee on pet food companies, state appropriations, investment earnings, and other sources.
- Kentucky funds its local spay and neuter programs with funds from the sale of the Kentucky Spay and Neuter license plates, and from donations.
- Texas distributes grants for spaying and neutering animals to public and private animal shelters and non-profit animal welfare organizations. Funds for this program are raised through the sale of Animal Friendly license plates and through gifts, grants, donations, and legislative appropriations.

MATTERS FOR LEGISLATIVE CONSIDERATION

We identified the following matters for legislative consideration to expand and strengthen Louisiana's role in animal control and welfare activities:

Matter for Legislative Consideration 1: The legislature may wish to consider revising state law to give more authority to entities that have a role in animal welfare and control activities, and to require that animal facilities and businesses be licensed/registered and inspected.

Matter for Legislative Consideration 2: The legislature may wish to consider requiring that public animal control shelters follow the *Minimum Standards for Animal Shelters* and that these standards be periodically revised and updated to comply with nationally recommended practices.

Matter for Legislative Consideration 3: The legislature may wish to consider identifying consistent sources of funding for animal welfare and control activities, including assessing license and registration fees to animal facilities and businesses, and requiring parishes to charge fees for registering dogs and cats that can be used by public animal control shelters.

Matter for Legislative Consideration 4: The legislature may wish to consider requiring that all law enforcement agencies and public animal control agencies report all animal cruelty and abuse cases to the Louisiana Incident-Based Reporting System maintained by the Louisiana Commission on Law Enforcement and that animal control shelters, law enforcement agencies, district attorneys' offices, and relevant state agencies receive annual training on animal cruelty and abuse, including the link between animal cruelty and interpersonal violence.

APPENDIX A: MANAGEMENT'S RESPONSE



LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY
MIKE STRAIN DVM
COMMISSIONER



April 20, 2021

Mr. Michael Waguespack
Louisiana Legislative Auditor
P.O. Box 94397
Baton Rouge, LA 70804-9397

Re: The State of Louisiana's Role in Animal Welfare and Control Activities

Dear Mr. Waguespack:

A handwritten signature in blue ink, appearing to read "Mike Strain".

Thank you for the opportunity to respond to this audit report.

The Department of Agriculture and Forestry is dedicated to advising and assisting local governments and their public animal shelters to help ensure the humane treatment and well-being of animals in their custody. After reading the report, it appears we agree that the Department and the Louisiana Animal Control Advisory Task Force are doing everything required in this regard. Although I come to different conclusions in some other respects, I appreciate the role that your office serves, and I recognize our common appreciation for a strong regulatory framework for animal welfare and control activities.

Notably, the report's first section concludes that state entities should have legal authority to regulate local animal control facilities, and that a state entity should license and inspect all other private companion animal business/facility types. While I agree that a strong regulatory framework is essential, state law has already established such a framework centered around local governments, and the support provided in the report has not led me to believe that this framework requires wholesale change.

Based on an analysis of Appendix D, it appears the majority of other states take a similar regulatory approach as Louisiana. For example, according to this appendix, at least three out of four states do not regulate public shelters at the state level. States also license, on average, just two of the approximately 20+ private business/facility types listed in the appendix, and there is no consistency in regards to which business/facility types require such licenses. Twenty-four states do not require any state licenses or inspections for these businesses/facilities, and the report does not conclude on the appropriate number or mix of business/facility types that would constitute sufficient state-level regulation.

I appreciate your audit team's hard work and passion in this area. I also feel it is important to make these observations because the report, as written, may misrepresent the extent of other states' oversight in these areas to a casual reader.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Strain".

Mike Strain, DVM
Commissioner

APPENDIX B: SCOPE AND METHODOLOGY

This report provides the results of our performance audit on Louisiana’s role in animal welfare and control activities with a focus on companion animals (i.e., dogs and cats). We conducted this performance audit under the provisions of Title 24 of the Louisiana Revised Statutes of 1950, as amended. This audit covered August 1, 2017,⁴³ through December 31, 2020, although some analyses included information outside of this scope. Our audit objective was:

To evaluate the state of Louisiana’s role in of animal control and welfare activities.

We conducted this performance audit in accordance with generally-accepted *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide reasonable basis for our findings and conclusions based on our audit objective. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective. To answer our objective, we reviewed internal controls relevant to the audit objective and performed the following audit steps:

- Researched relevant federal and state laws, as well as rules and regulations regarding animal welfare and control.
- Researched state laws in other states, and identified 33 other states with regulatory and advisory activities in animal welfare and control. Identified 36 state agencies or boards with regulatory and advisory activities in animal welfare and control in these 33 states.
 - Researched state laws, rules, and regulations, as well as information on state websites to gain an understanding of the regulatory and advisory activities for these 36 agencies/boards in other states.
 - Contacted the 36 other state agencies/boards to request clarifications on their regulatory and advisory activities, and received responses from all of them by March 24, 2021.
- Interviewed staff at LDAF’s Shelter Inspection Program, the Louisiana Board of Veterinary Medicine, LDH’s Infectious Disease Epidemiology Program, LDH’s Board of Pharmacy, and the Louisiana Pet Overpopulation Advisory Council to gain a better understanding of their role and responsibilities in animal welfare and control.

⁴³ Effective date of Act 422 of the 2017 Regular Session, establishing the Louisiana Advisory Task Force within LDAF.

- Interviewed and/or obtained written responses from various stakeholders to identify challenges and obtain suggestions on how to improve animal welfare and control in Louisiana, including: the Louisiana Animal Control Advisory Taskforce, the Louisiana State Animal Response Team, LSU School of Veterinary Medicine, the U.S. Humane Society, Louisiana SPCA, the Louisiana Sheriffs' Association, the Louisiana Commission on Law Enforcement, the Louisiana District Attorneys' Association, and the EBR District Attorney's Office.
- Interviewed local government representatives and/or public animal control shelter staff from selected parishes to identify challenges they face and obtain suggestions on how to improve animal welfare and control.
- Reviewed best practices related to animal welfare and control, including but not limited to:
 - The American Society for the Prevention of Cruelty to Animals' *Shelter Care Checklists: Putting ASV Guidelines Into Action* (<https://bit.ly/3cpTuOj>)
 - The Association of Shelter Veterinarians' (ASV) *2010 Guidelines for Standards of Care in Animal Shelters* (<https://bit.ly/3rHHfDf>)
 - The ASV *2016 Veterinary Medical Care Guidelines for Spay-Neuter Programs* (<https://bit.ly/3bDFkK8>)
 - The American Veterinary Medical Association's *Guidelines for the Euthanasia of Animals* (<https://bit.ly/3lbJrQX>)
 - The Best Friends Animal Society's *Humane Animal Control* (<https://bit.ly/30Fgfs9>)
 - The Center for Problem-Oriented Policing' *Problem-Specific Guide on Animal Cruelty* (<https://bit.ly/2PL2HJi>)
 - The Humane Society Veterinary Medical Association's *The Case for Low-cost, High-quality, High-volume Spay and Neuter* (<https://bit.ly/2OEjIof>)
 - The National Animal Care and Control Association's *NACA Guidelines* (<https://bit.ly/3h76kFj>)
 - The National Association of State Public Health Veterinarians' *2016 Compendium of Animal Rabies Prevention and Control* (<https://bit.ly/2N7fVPO>)
 - The National District Attorneys Association's *Investigating & Prosecuting Animal Abuse* (<https://bit.ly/3crUD7R>)

- The National Link Coalition (<https://nationallinkcoalition.org/>)
- Reese, Laura & Kellee Remer. (2017) *The Best Practices in Local Animal Control Ordinances State and Local Government Review*. (<https://bit.ly/3rJxvIx>)
- Researched local ordinances on companion animals for selected parishes, using the Municode Library (<https://library.municode.com/la#L>).
- Observed the Louisiana Advisory Task Force’s 2020 Annual Meeting on December 18, 2020.
- Observed operations and facilities of selected public animal control shelters and non-profit animal control shelters with municipal contracts.
- Researched funding opportunities for public animal control shelters from private sources and identified the following websites listing such opportunities:
 - National Animal Care & Control: <https://bit.ly/3rBOvQZ>
 - The Humane Society of the United States: <https://bit.ly/3eFbCGu>
 - The American Society for the Prevention of Cruelty to Animals: <https://bit.ly/2P0VnsQ>
 - CharityPaws: <https://bit.ly/38y7m7T>
- Reviewed the Animal Legal Defense Fund’s 2019 *U.S. State Animal Protection Laws Ranking Report* (<https://aldf.org/project/us-state-rankings/>)
- Surveyed public animal control shelters, sheriffs’ offices, and district attorneys’ offices concerning animal welfare and control.
- Obtained and analyzed LDAF shelter inspection reports for the period of August 1, 2017, through December 31, 2020.
- Obtained and analyzed animal cruelty or abuse information and reporting inquiries submitted to LDAF through the Louisiana Advisory Task Force website (<https://lcatf.la.gov/>) during the period of August 1, 2017, through December 31, 2020.

APPENDIX C: DESCRIPTION OF OTHER ANIMAL ORGANIZATIONS AND FACILITIES INVOLVED WITH ANIMAL WELFARE AND CONTROL

| Animal Organization/Facility | Description |
|--|--|
| Private Non-Profit Animal Organizations | Private organizations which are generally managed by an Executive Director, who reports to a Board of Directors. Such organizations are free to establish their own mission, policies, and directives. Although many private shelters have the words “humane society” or “SPCA” in their name, this does not imply any affiliation with a national organization like The Humane Society of United States – each of these organizations is independently operated and establishes its own policies and procedures. These organizations are not required to act in the interests and desires of the public at large (except for the requirement that they use donated funds lawfully and responsibly based on their not-for-profit status). However, because private organizations are so heavily dependent on donor dollars to fund their programs and initiatives, they usually have a strong desire to maintain the good will of their community. |
| Animal Rescue/ Sanctuary Organization | A not-for-profit organization which has tax-exempt status, and their mission and practice is to rescue animals and place them in permanent homes. These organizations do not obtain dogs or cats from a breeder or broker for payment or compensation. Rescue and sanctuary organizations may be brick-and-mortar shelters, foster-based organizations, groups that provide medical care to animals in crisis, or groups whose primary mission is the transporting of animals, and they may range from one-person operations to groups with large cadres of volunteers. |
| Animal Boarding/ Training Facilities/ Kennels | Any firm, person, or corporation that cares for, houses, or trains pet animals in the absence of the owner or such person’s designee, and receives compensation for such services. |
| Animal Grooming Facilities | Any permanent or mobile establishment where a person pays a fee to have his pet animal’s skin, coat, or hair cleaned, styled, or maintained. |
| Animal Daycare Kennels | Facilities that offer cages or runs where the dog will be placed alone during the day. Some of these facilities allow dogs to play in an outside environment. Others have indoor-only facilities, where dogs interact, play, and relieve themselves in designated inside areas. |
| Animal Breeders | Individuals or organizations that select and breed animals according to their genealogy, characteristics, and offspring. |
| Animal Dealer | Any individual or organization which, for compensation or profit in commerce, delivers for transportation or transports, buys, sells, or negotiates the purchase or sale of (1) any dog or other animal whether alive or dead for research, teaching, exhibition, or use as a pet, or (2) any dog for hunting, security, or breeding purposes. |

| Animal Organization/Facility | Description |
|-------------------------------------|--|
| Animal Research Facility | Any school, institution, organization, or person that uses or intends to use live animals in research, tests, or experiments, and that (1) purchases or transports live animals in commerce, or (2) receives funds under a grant, award, loan, or contract from a department, agency, or instrumentality of the United States for the purpose of carrying out research, tests, or experiments. |
| Retail Pet Store | A retail establishment where dogs or cats are sold, exchanged, bartered, or offered for sale as pet animals to the general public at retail. Retail Pet stores selling animals to a research facility, an exhibitor, or a dealer are subject to USDA licensure. |
| Animal Transporter | Any firm, person, or corporation that accepts pet animals for transportation or relocation for the purpose of adoption, rescue, selling, harboring, sheltering, trading, or otherwise transferring from one location to another. |

APPENDIX D: SUMMARY OF REGULATORY AND ADVISORY ACTIVITIES OF ANIMAL FACILITIES BY STATE, AGENCY, AND TYPE

| State | Agency | Type of Activity | Types of Facilities Subject to Activity | Inspections | | | | |
|-------------|--|------------------------|--|-------------|----------|-----------|-----------|-----------------|
| | | | | Pre-License | Routine* | Follow-up | As Needed | Complaint Based |
| Arkansas | Department of Health | Mandatory Registration | Retail pet stores that sell dogs and/or cats to the public | | | √ | | √ |
| Colorado | Department of Agriculture | Mandatory Licensure | All pet animal care facilities that engage in selling, transferring, adopting, breeding, boarding, training, grooming, sheltering, or rescuing any pet animal. | √ | √ | √ | | √ |
| Connecticut | Department of Agriculture | Mandatory Licensure | Commercial kennel, pet shop, training facility or grooming facility; animal importer | √ | √ | √ | √ | √ |
| Delaware | Department of Health & Social Services | Mandatory Licensure | Retail Dog Outlet | √ | | √ | √ | √ |
| | | Voluntary Licensure | Kennel | √ | | | √ | |
| | | Mandatory Inspections | Public or Private Animal Shelters | | √ | | √ | √ |
| Georgia | Department of Agriculture | Mandatory Licensure | Pet Dealer, Kennel, Animal Shelter | √ | √ | | | √ |

| State | Agency | Type of Activity | Types of Facilities Subject to Activity | Inspections | | | | |
|-----------|--|------------------------|--|-------------|----------|-----------|-----------|-----------------|
| | | | | Pre-License | Routine* | Follow-up | As Needed | Complaint Based |
| Illinois | Department of Agriculture | Mandatory Licensure | Pet Shop Operator, Cat Breeder, Dog Dealer, Kennel Operator, Dog Breeder, Animal Control, Animal Shelter, Guard Dog Service, Day Care Operator | √ | √ | | √ | √ |
| Indiana | Board of Animal Health | Mandatory Registration | Commercial Dog Breeder, Commercial Dog Broker | √ | | | | √ |
| Iowa | Department of Agriculture & Land Stewardship | Mandatory Licensure | Commercial Breeder, Pet Store, Boarding Kennel, Dealer, Rescue, Research Facility, Commercial Kennel, Grooming Facility, Training Facility | √ | √ | √ | | √ |
| Kansas | Department of Agriculture | Mandatory Licensure | Dog and Cat Breeders, Pound, Shelters and Animal Rescues, Pet Store, Research Facility, Distributors In and Out-of-State, Boarding Facility | √ | √ | √ | | √ |
| Kentucky | Animal Control Advisory Board | Grant Awards | Public Animal Shelters | | | | | |
| Louisiana | Department of Agriculture & Forestry | Voluntary Registration | Public Animal Control Shelters | | √ | | | |
| Maine | Department of Agriculture, Conservation & Forestry | Mandatory Licensure | Pet Store, Boarding Kennel, Breeding Kennel, Research Facility | | √ | | | |
| | | Mandatory Licensure | Animal Shelter, Rescues | √ | √ | | | |

| State | Agency | Type of Activity | Types of Facilities Subject to Activity | Inspections | | | | |
|---------------|---|------------------------|---|-------------|----------|-----------|-----------|-----------------|
| | | | | Pre-License | Routine* | Follow-up | As Needed | Complaint Based |
| Maryland | Board of Veterinary Medical Examiners | Mandatory Licensure | County/Municipal designated animal shelters; Veterinary Hospitals and Clinics | √ | √ | | | √ |
| Massachusetts | Department of Agricultural Resources | Mandatory Licensure | Pet Shops | √ | √ | | | √ |
| | | Mandatory Registration | Animal Shelters & Rescues operating adoption programs or importing from out-of-state | √ | | | | √ |
| | Department of Public Health | Mandatory Licensure | Research Institution | | | | | |
| Michigan | Department of Agriculture & Rural Development | Mandatory Registration | Dog Pound, Animal Shelter | √ | √ | √ | | √ |
| | | Mandatory Licensure | Large-Scale Dog Breeding Kennel | √ | √ | √ | | √ |
| Minnesota | Board of Animal Health | Mandatory Licensure | Dog and Cat Breeders, Kennel | √ | √ | √ | | √ |
| Missouri | Department of Agriculture | Mandatory Licensure | Animal Pound, Animal Shelter, Animal Rescue, Humane Society w/ Public Contract, Commercial Breeder, Hobby or Show Breeder, Dog or Cat Dealer, Pet Store, Commercial Kennel, Boarding Kennel, Transporter, Exhibitor | | √ | | | √ |

| State | Agency | Type of Activity | Types of Facilities Subject to Activity | Inspections | | | | |
|----------------|---|------------------------|---|-------------|----------|-----------|-----------|-----------------|
| | | | | Pre-License | Routine* | Follow-up | As Needed | Complaint Based |
| Nebraska | Department of Agriculture | Mandatory Licensure | Commercial Breeder, Boarding Kennel, Dealer, Animal Control Facilities, Animal Shelters, Animal Rescue, Pet Store | √ | √ | √ | | √ |
| New Hampshire | Department of Agriculture, Markets & Food | Mandatory Licensure | Any person, firm, corporation, or other entity that transfers 25 or more dogs or cats | √ | √ | √ | | √ |
| New Jersey | Department of Health | Voluntary Registry | Animal rescue organizations and their facilities | | | | | |
| New Mexico | Board of Veterinary Medicine | Mandatory Licensure | Public Animal Shelter, Private Animal Shelter w/ Public Contract | | √** | | | |
| New York | Department of Agriculture & Markets | Mandatory Licensure | Any facilities offering for sale 9 or more dogs or cats a year, a breeder offering for sale 25 or more dogs or cats a year. | | √ | | | √ |
| | | Mandatory Registration | Animal Rescue, Animal Shelter | | | | | |
| North Carolina | Department of Agriculture & Consumer Services | Mandatory Licensure | Boarding Kennel, Pet Store, Dog Daycare, Public Auction | √ | √ | | √ | √ |
| | | Mandatory Registration | Public & Private Animal Shelter | √ | √ | | √ | √ |
| Ohio | Department of Agriculture | Mandatory Licensure | Pet Store, High Volume Breeder, Dog Broker | | √ | √ | | √ |
| | | Mandatory Registration | Animal Rescue for Dogs (excluding public animal shelters) | | √ | √ | | √ |

| State | Agency | Type of Activity | Types of Facilities Subject to Activity | Inspections | | | | |
|----------------|--|------------------------|---|-------------|----------|-----------|-----------|-----------------|
| | | | | Pre-License | Routine* | Follow-up | As Needed | Complaint Based |
| Oklahoma | Department of Agriculture, Food, & Forestry | Mandatory Licensure | Commercial Pet Breeder, Animal Shelter | √ | √ | √ | | √ |
| Oregon | Department of Agriculture | Mandatory Licensure | Animal rescue entities, including but not limited to an animal control agency, humane society, animal shelter, animal sanctuary, or boarding kennel (some exclusions apply) | √ | √ | | √ | √ |
| Pennsylvania | Department of Agriculture | Mandatory Licensure | Private Kennel, Pet shop, Kennel, Research Kennel, Rescue Network Kennel, Dealer Kennel | √ | √ | √ | √ | √ |
| | | Mandatory Licensure | Out-of-State Dealer | | | | | |
| Rhode Island | Department of Environmental Management | Mandatory Licensure | Pet Store, Breeder, Public Auction, Kennel, Dealer | √ | | √ | √ | √ |
| | | Mandatory Registration | Animal Shelter, Rescue Broker, Municipal Pound | √ | | √ | √ | √ |
| South Carolina | Department of Labor, Licensing, and Regulation | Mandatory Registration | Incorporated Humane Society, Animal Welfare Society, or other Nonprofit Organization whose purpose is providing for and promoting animal welfare | | √ | | | √ |
| Texas | Department of Licensing & Regulation | Mandatory Licensure | Dog and Cat Breeders | √ | √ | √ | | √ |
| | Department of State Health Services | Mandatory Licensure | Rabies Quarantine Facility | | √ | √ | √ | |

| State | Agency | Type of Activity | Types of Facilities Subject to Activity | Inspections | | | | |
|--|--|------------------------|--|-------------|----------|-----------|-----------|-----------------|
| | | | | Pre-License | Routine* | Follow-up | As Needed | Complaint Based |
| | | | Animal Shelter in Counties with population of 75,000 or greater; Animal Impoundment Facility | | | | | |
| Vermont | Agency of Agriculture, Food, & Markets | Mandatory Licensure | Pet Store | √ | √ | | | √ |
| Virginia | Department of Agriculture & Consumer Services | Mandatory Registration | Pet Store | | √** | | | √** |
| | | Mandatory Inspections | Public and Private Animal Shelter | | √ | | | √ |
| Washington | Department of Health | Mandatory Registration | Humane Society, Animal Care and Control Agency | | | | √ | √ |
| Wisconsin | Department of Agriculture, Trade & Consumer Protection | Mandatory Licensure | Dog breeders, Dog breeding facilities, In-state dog dealers, Out-of-state dog dealers, Non-profit animal shelters and rescue groups, Animal control facilities | √ | √ | √ | | √ |
| <p>*Routine inspections include inspections performed on a pre-set schedule (i.e. annual, biennial, every two years, etc.).</p> <p>** These are newly established programs. The intent is that the inspections would be performed as noted in the chart above.</p> <p>Source: Prepared by the legislative auditor’s staff using publicly available information from the above listed state agencies websites.</p> | | | | | | | | |

APPENDIX E: COMPARISON OF “UNACCEPTABLE” AND “MUST” PRACTICES TO THE LOUISIANA’S MINIMUM STANDARDS FOR ANIMAL SHELTERS

| Association of Shelter Veterinarian Standards | | Louisiana’s Minimum Standards - Comparable Requirements |
|--|--|---|
| “Unacceptable” Practices | | |
| Facility Design and Environment | Tethering is an unacceptable method of confinement for any animal and has no place in humane sheltering. | If dog houses with chains are used as primary enclosures for dogs kept outdoors, the chains used shall be so placed or attached that they cannot become entangled with the chains of other dogs or any other objects. |
| Population Management | Operating beyond an organization’s capacity for care is an unacceptable practice. | None |
| Behavioral Health and Mental Well-being | Long-term confinement of any animal, including feral or aggressive animals, who cannot be provided with basic care, daily enrichment, and exercise without inducing stress is unacceptable. | None |
| | The use of physical force as punishment or use of force in anger is an unacceptable means of behavior modification; these methods are potentially harmful to the animal and dangerous for the staff. | None |
| Group Housing | Random grouping of animals in shelters is an unacceptable practice. Inappropriately using group housing creates physical risks of infectious disease exposure, and injury or death from fighting. | None |
| Animal Handling | It is unacceptable to use physical force as punishment or to use force in anger. | None |
| Euthanasia | Agents inducing convulsions prior to loss of consciousness are unacceptable for euthanasia. | None |
| Animal Transport | Placing unconfined or tethered animals in the back of an open pickup truck for transport is unacceptable and is also illegal in many jurisdictions. | None |
| Public Health | Housing that requires dogs to be removed by use of a control pole or cats to be removed using nets or tongs for daily cleaning and care is unacceptable; alternative housing must be provided for those animals. | None |

| Association of Shelter Veterinarian Standards | | Louisiana’s Minimum Standards - Comparable Requirements |
|---|---|--|
| “Must” Practices | | |
| Management and Record Keeping | Protocols must be developed and written down in sufficient detail to achieve and maintain the standards set by the Association of Shelter Veterinarians and updated as needed to ensure they reflect current industry norms and pertinent legislation. | None |
| | A clearly defined structure that outlines accountability, responsibility, and authority for management within the organization is essential and must be communicated to all staff and volunteers. | None |
| Population Management | Maximum housing capacity must be based on the number of animals who can be adequately housed within available primary enclosures. | None |
| | Staffing or volunteer work hours must be sufficient to ensure that the basic needs of animals in the shelter are met each day. | None |
| Medical Health and Physical Well-being | Animals must be vaccinated at, or prior to, intake with core vaccines. | None |
| Behavioral Health | Animals must be provided regular social contact, mental stimulation, and physical activity. | None |
| | Dogs must be provided with daily opportunities for activity outside of their runs for aerobic exercise. | None |
| Spaying and Neutering | Consideration must be given to individual animal health or circumstances when it comes to creating the need for an exception to the required spay/neuter policy. | R.S. 3:2472(A) requires sterilization of all dogs and cats released for adoption or purchased from any public or private animal shelter or animal control agency without any exceptions. |
| Animal Transport | During transport, animals must have adequate space, comfortable environmental conditions, and good air quality. | None |
| | If more than one animal is in the primary enclosure, there must be enough space for each occupant to lie down comfortably at the same time without needing to lie on top of one another. | None |
| | The enclosure must be sturdy and permit adequate ventilation. | None |
| | Extra care must be provided when transporting puppies and kittens, including prevention of exposure to temperature extremes, maintenance of adequate hydration and nutrition, and protection from infectious disease exposure during the transport process. | None |
| | If water is not available at all times, it must be provided at frequent observation stops (at least every four hours). | None |

| Association of Shelter Veterinarian Standards | | Louisiana’s Minimum Standards - Comparable Requirements |
|--|---|---|
| Public Health | Personal protective equipment (PPE) such as gloves, smocks, goggles, masks, etc. must be provided by the shelter in order to protect employees from exposure to chemical and biological agents. | None |
| | Enclosures of animals with suspected zoonotic disease must be clearly marked to indicate the condition and any necessary precautions. | None |
| Source: Prepared by the legislative auditor’s staff using information from the Association of Shelter Veterinarians <i>Guidelines for Standards of Care in Animal Shelters</i> and the Louisiana’s <i>Minimum Standards for Animal Shelters</i> . | | |

APPENDIX F: FUNDING SOURCES FOR AGENCIES WITH REGULATORY AND ADVISORY ACTIVITIES BY STATE

The appendix includes funding for other states' regulatory and advisory activities, including licensing, registration, inspections, and animal overpopulation control.

| # | State | Agency | License Fee | Registration Fee | Dog License Fee | Dog License Surcharges | Donations | State Appropriations | Sale of License Plates | Other |
|----|---------------|--|-------------|------------------|-----------------|------------------------|-----------|----------------------|------------------------|-------|
| 1 | Arkansas | Department of Health | | √ | | | | √ | | |
| 2 | Colorado | Department of Agriculture | √ | | | | | √ | | |
| 3 | Connecticut | Department of Agriculture | √ | √ | √ | | | | √ | |
| 4 | Delaware | Department of Health & Social Services | √ | | √ | | | √ | | |
| 5 | Georgia | Department of Agriculture | √ | | | | | √ | | |
| 6 | Illinois | Department of Agriculture | √ | | | | | √ | | |
| 7 | Indiana | Board of Animal Health | | √ | | | | √ | | |
| 8 | Iowa | Department of Agriculture & Land Stewardship | √ | √ | | | | √ | | |
| 9 | Kansas | Department of Agriculture | √ | | | | | √ | | |
| 10 | Kentucky | Department of Agriculture | | | | | √ | √ | √ | |
| 11 | Louisiana | Pet Overpopulation Advisory Council | | | | | √ | | √ | |
| 12 | Maine | Department of Agriculture, Conservation & Forestry | √ | | √ | | √ | | √ | √ |
| 13 | Maryland | Board of Veterinary Medical Examiners | √ | | | | | | | |
| 14 | Massachusetts | Department of Agricultural Resources | √ | √ | | | √ | √ | | |

| # | State | Agency | License Fee | Registration Fee | Dog License Fee | Dog License Surcharges | Donations | State Appropriations | Sale of License Plates | Other |
|----|----------------|--|-------------|------------------|-----------------|------------------------|-----------|----------------------|------------------------|-------|
| | | Department of Public Health | √ | | | | | √ | | |
| 15 | Michigan | Department of Agriculture & Rural Development | √ | | | | √ | √ | | |
| 16 | Minnesota | Board of Animal Health | √ | | | | | √ | | |
| 17 | Missouri | Department of Agriculture | √ | | | | √ | √ | √ | √ |
| 18 | Nebraska | Department of Agriculture | √ | | √ | | √ | √ | | |
| 19 | New Hampshire | Department of Agriculture, Markets & Food | √ | | √ | | √ | | | |
| 20 | New Jersey | Department of Health | | | | √ | | | √ | |
| 21 | New Mexico | Board of Veterinary Medicine | √ | | | | √ | √ | | √ |
| 22 | New York | Department of Agriculture & Markets | √ | √ | | | | √ | | |
| 23 | North Carolina | Department of Agriculture & Consumer Services | √ | | | | √ | √ | √ | |
| 24 | Ohio | Department of Agriculture | √ | | | | | √ | √ | |
| 25 | Oklahoma | Department of Agriculture, Food, & Forestry | √ | | | | √ | | | |
| 26 | Oregon | Department of Agriculture | √ | | | | | √ | | |
| 27 | Pennsylvania | Department of Agriculture | √ | | √ | | | | | √ |
| 28 | Rhode Island | Department of Environmental Management | | | | | | √ | | |
| 29 | South Carolina | Department of Labor, Licensing, and Regulation | √ | √ | | | | | | |
| 30 | Texas | Department of State Health Services | | | | | √ | √ | √ | |
| | | Department of Licensing & Regulation | √ | | | | √ | | | |
| 31 | Vermont | Agency of Agriculture, Food, & Markets | √ | | | √ | √ | √ | | |
| 32 | Virginia | Department of Agriculture & Consumer Services | | √ | √ | | √ | √ | | √ |

| # | State | Agency | License Fee | Registration Fee | Dog License Fee | Dog License Surcharges | Donations | State Appropriations | Sale of License Plates | Other |
|---|------------|--|-------------|------------------|-----------------|------------------------|-----------|----------------------|------------------------|----------|
| 33 | Washington | Department of Health | | √ | | | | | | |
| 34 | Wisconsin | Department of Agriculture, Trade & Consumer Protection | √ | | | | | √ | | |
| Total Number of States by Funding Source | | | 27 | 9 | 7 | 2 | 15 | 25 | 9 | 5 |
| <p>Note:</p> <ul style="list-style-type: none"> • The use of state appropriations varies by state. In some states, licensing and registration fees flow into the state's General Revenue Fund then these "state general funds" are used to fund the state agency with regulatory and advisory activities. In other states, licensing and registration fees go into a dedicated agency account and don't flow through state general fund accounts. In both cases, agencies may also receive pure state appropriations from that state's General Fund. For both scenarios, we marked the funding sources as both licensing and registration fees, and state appropriations. • Dog license fees are only included in this chart if they are established by or remitted to state regulatory agencies (in whole or in part). • License plate funds are only included if the money raised is remitted to the state regulatory agency (in whole or in part). • Other sources of funding include feed registration, pet food surcharges, per capita fees, dangerous dog registration, etc. <p>Source: Prepared by the legislative auditor's staff using publicly available information: state laws, state regulations, and regulatory agency's website.</p> | | | | | | | | | | |

APPENDIX G: DESCRIPTION OF THE LINK OF ANIMAL CRUELTY AND ABUSE TO OTHER VIOLENT ACTS

A large and growing body of research has documented the co-occurrence of animal cruelty and interpersonal violence, particularly domestic violence, child abuse, and elder abuse. The underlying conditions that create the opportunity for animal cruelty to occur (e.g. stress, deprivation, aggression, mental illness, prior victimization, drug and alcohol use) mirror the risk factors for interpersonal violence. The exhibit below shows examples of the link of animal cruelty and abuse to other violent acts.

| The Link | Explanation of the Link |
|---|--|
| Link to Domestic Violence | Women in domestic violence situations may delay leaving a violent partner in part because they are concerned about pets that would be left behind. Most domestic violence shelters do not accommodate animals. The social isolation and limited financial resources of domestic violence victims can prevent them from leaving their pets with family members, friends, or at a kennel. Many women in shelters report that their pets have been threatened, injured, or killed by their abusive partners. Batterers harm pets to exert control, prevent the victim from leaving, or coerce the victim to return. |
| Link to At-Risk Youth | According to the National School Safety Council, the U.S. Department of Education, the American Psychological Association, and the National Crime Prevention Council, animal cruelty is a warning sign for at-risk youth. When children are cruel to animals, it is not necessarily an exploratory stage of development: it could be the earliest stages of a conduct disorder, a gang initiation ritual, an act of revenge, peer pressure, or a way for an abused child who feels powerless to exert control over his or her own victim and gain a sense of power. Exposing children to animal cruelty may desensitize them against all forms of violence. |
| Link to Child Abuse/ Neglect | Perpetrators of violence seldom limit themselves to victimizing only one member of the family. Whether it is inflicted upon a partner, a child, another family member, or an animal, abuse is about power and control. Abusers target the powerless. If an animal is being abused, it is likely that some person in the household is also being abused. Perpetrators of domestic violence often use pets as a way to demonstrate dominance and control of their victims. Abuse of the pet—the “lowest” or weakest member of the family—is also often used to manipulate a partner or child into compliance with the abuser’s demands. Pet abuse can also be used to frighten, intimidate, punish, or retaliate against a partner or child. If an animal misbehaves, the child or partner may be the recipient of the violence rather than the pet. Animals may expose themselves to physical harm by rushing to protect their guardians during an abusive episode. They may also suffer anxiety or distress at witnessing the abuse of their guardian. Finally, following through on threats to injure or kill a pet shows the victim that the abuser is willing to kill an animal and that he may also kill the human victim. Killing a cherished pet can also be a way of removing a major source of comfort and love, an act that further isolates the abused family member |
| Link to Elder Abuse/ Neglect | Senior citizens in particular may be at risk of not being able to care for their animals adequately, of neglecting themselves in order to care for their pets, of being exploited |

| The Link | Explanation of the Link |
|--|---|
| | by those who would take advantage of their attachment to pets, or of keeping too many animals in inhumane hoarding conditions. |
| Link to Other Criminal Activities | Animal fighting in particular has been linked to gang, weapons, human trafficking, gambling, and narcotics offenses. Therefore, reporting, investigating, and prosecuting animal cruelty can help remove dangerous criminals from the street. |
| Source: Prepared by the legislative auditor’s staff using information publicly available. | |