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Testimony of Inga Fricke on SB 373

Members of the Senate Majority Policy and Judiciary Committees, I would like to thank you for giving me this opportunity to express my support for a new anti-tethering measure in Pennsylvania. My name is Inga Fricke, and I am the Director of Shelter and Rescue Group Services for the Humane Society of the United States. I have been working in the field of animal sheltering for nearly 15 years, in animal control, private sheltering, and nonprofit advocacy settings. As such, I am familiar with the issues surrounding pet care matters like tethering, and the critical importance of having a balance of well-crafted, reactive enforcement mechanisms along with more proactive efforts to prevent tragedies before they occur, and I am grateful for this opportunity to share my thoughts with you.

I would like to begin by commending the Pennsylvania Senate for recognizing tethering as a critical issue, with impacts both on animal welfare and human health and safety, and for considering this important piece of legislation. Also like to take the opportunity to thank Senator Alloway for his steadfast leadership against animal cruelty and for introducing Senate Bill 373. Experts have long agreed that tethering is not conducive to the health and welfare of dogs. Back in June of 1996, the U. S. Department of Agriculture (USDA) issued a statement against tethering: "Our experience in enforcing the Animal Welfare Act has led us to conclude that continuous confinement of dogs by a tether is inhumane. A tether significantly restricts a dog's movement. A tether can also become tangled around or hooked on the dog's shelter structure or other objects, further restricting the dog's movement and potentially causing injury." And the Association of Shelter Veterinarians in its 2009 Guidelines for Standards of Care in Animal Shelters said: "Tethering is an unacceptable method of confinement for any animal and has no place in humane sheltering. Constant tethering of dogs in lieu of a primary enclosure is not a humane practice." Pennsylvania is no stranger to proof that tethering can be dangerous to dogs, as demonstrated by other presenters speaking here today.

But beyond being just animal welfare concerns, tethering poses a significant risk to the people of Pennsylvania's communities. The AVMA has been quoted as saying: "Never tether or chain your dog because this can contribute to aggressive behavior". The Centers for Disease Control (CDC) concluded in a study that the dogs most likely to attack are male, unneutered, and chained.

Karen Delise of the National Canine Research Council asserts that “the quality of a dog’s relationship to humans is a crucial determinant of social behavior.” And the scientific study “Which Dogs Bite? A Case Control Study of Risk Factors” is just one of many studies which demonstrate that “chained dogs account for a substantial portion of serious and fatal bites.”

Chained dogs are also often the source of nuisance complaints, impacting the quality of life for community residents. It only makes sense that a dog tethered alone in a yard with nothing to muffle its sound is more likely to engage in nuisance behaviors like barking than a dog inside a house, making tethered dogs those most likely to be considered bad neighbors.

Good tethering policies, then, which prevent dogs from living their lives on chains, are not only good for dogs, they are good for people. Senator Alloway’s bill is an important step in raising awareness of the issue and moving towards policies and practices which protect Pennsylvania’s citizens, human and canine alike. 20 states have already recognized that tethering laws are an important component. Each has its own provisions and standards. In California, for example, the law specifies simply that “No person shall tether, fasten, chain, tie or restrain a dog to any dog house, tree, fence or other stationary object. [A person may temporarily tether a dog] no longer than is necessary for the person to complete a temporary task.” Connecticut’s law includes restrictions tied to environmental conditions, specifying that tethering is prohibited when a weather advisory or warning has been issued by authorities, or when outdoor conditions pose an adverse risk to the health and safety of the dog. And in Oregon, tethering is considered actionable when it results in physical injury to the dog. Like any other law, a good tethering law must meet the following standards: it must be clear, narrowly drafted and designed to actually solve the problem at hand, and beneficial to the entire community; it must be enforceable, and the enforcing agencies must have sufficient funding to be able to carry out its directives; and it must create mandates with which those targeted by its provisions have the ability to comply.

Most tethering ordinances struggle mightily with enforceability. For example, people often propose time limits for dogs on chains presuming, correctly, that a dog left unattended on a chain for extended periods of time is most likely to run the risk of self-injury or doing harm to others. But lengthy time periods can make enforcement a challenge – after all, most animal control officers do not have time to monitor a dog for extended periods to verify that their owner has not checked on them. And setting specific hours of the day as violations of law is generally not useful either – for example, a law that just bans chaining in overnight hours might unduly penalize someone who

works a night shift, and it would offer no protection to dogs left out in the hot summer noontime sun. Care must be taken to ensure that any time periods specified in a law are not only logical, in terms of avoiding the hazards posed by tethering, but also practical from a law enforcement perspective.

It is important to note that a significant number of people who tether or chain their dogs do not do so out of malice. Programs like the HSUS' Pets For Life and other entities that support under-served pet owners find that the vast majority of people care deeply about their pets, and are genuinely doing the best they can for them, within their means. Some people tether their dogs either because they may not be familiar with behavior and training to know how to successfully live with their pet inside, or they simply do not have the financial resources to employ another option. For example, the person who loves his dog, grew up with "outdoor dogs," and genuinely believes that outdoor life is best for his pet, may think that he's actually providing a higher standard of care for his dog through tethering because he is not letting the dog run free, thus avoiding the risk of being hit by a car or worse. For him, sharing information about the dangers of tethering and an offer to build a fence would change life for not just his current dog, but all subsequent dogs he and his family acquire. Or the tenant whose landlord forbids him to build a fence may not realize that crate training may be a healthier indoor alternative – or she may not have the funds with which to purchase the crate. Providing her with a crate and showing her how to acclimate her dog to it would change their lives forever. We find over and over again that, with rare exceptions, people genuinely do love their pets and want to do what's best for them. Preventative measures designed to assist people to improve the quality of care they are able to give their pets is often the best answer, and can avoid the need for punitive enforcement of tethering and other welfare-related laws.

Efforts to improve confinement practices for dogs should not end with laws that punish violators. We hope that with the new spotlight being shown on this issue, Pennsylvania communities will also consider complimentary proactive approaches to prevent citizens from needing tethering as a form of confinement in the first place. The Humane Society of the United States is happy to provide more information about those types of approaches, which are gaining momentum in a variety of U.S. communities. We look forward to working with Senator Alloway and the Pennsylvania legislature to pass SB 373, and we are happy to assist if adjustments to its language are sought based on this hearing.