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May 6, 2024

The Honorable Buffy Wicks
Chairwoman, Assembly Appropriations Committee
1021 O Street, Ste. 8140
Sacramento, CA 95814

RE: OPPOSE, as amended April 17, 2024 – AB 2265 (McCarty), Animals, euthanasia

Dear Chairwoman Wicks,

On behalf of the Solano County Board of Supervisors, I write to inform you that we must respectfully oppose AB 2265, which would require animal shelters to post both daily lists on the internet and physical notices on animal kennels for cats or dogs scheduled for euthanasia at least 24 hours prior to the scheduled euthanasia of a dog or cat. This bill would also amend language declaring the policies of the state regarding the euthanasia of animals; require shelters seeking to adopt a policy, practice, or protocol that potentially conflicts with the specified laws to give notice to their local city or county body and then schedule a public hearing; and makes various additional changes to existing laws and requirements relating to animal welfare and animal shelters.

Currently, shelters are receiving more animals than facilities are designed for, making it harder to manage the spread of contagious diseases and putting immense stress on staff and the animals. Rescue partners are transferring fewer animals as they experience the same challenges and this means that shelters are faced with making more difficult decisions, and in some areas, euthanasia is rising. These conditions require that there is a closer look at the “why” – and that includes examining all the factors contributing to root causes of why so many animals are ending up in the shelter in the first place. That’s the only way we’ll collectively apply the right programs, policy interventions, and support the shelters receiving more animals than they can re-home.

Government and contracted animal shelter staff use their best discretion to provide the highest level of care their resources allow. AB 2265 tries to fix today’s issues by assuming the overcrowding in shelters and increase in euthanasia is due to a problem within the sheltering system itself. However, this is not the case and what we are seeing today is a product of the environment outside of the shelters. Inflation, housing insecurity, a lack of pet-friendly housing, breed discrimination from insurance companies, and inaccessible or costly veterinary care are forcing families to make difficult decisions regarding their ability to keep pets. In other words, AB 2265 will not help solve the problems already alluded to, but in fact would exacerbate the negative outcomes it seeks to remedy.

AB 2265 removes a shelter's ability to make decisions in the best interest of animal welfare and public safety. This bill removes important industry-recognized definitions like “adoptable” and “treatable” and redefines state policy to say all animals should be released for adoption or rescue transfer except those suffering from the most extreme health or behavioral afflictions. Under AB 2265, to humanely euthanize for behavior, a dog must be declared under a rarely used state law on vicious dogs.

Honorable Buffy Wicks
May 6, 2024

Setting aside the fact that most municipalities rely instead on more comprehensive local ordinances for their designations of dangerous or vicious dogs, this provision ignores that, as with people, behavior is a spectrum. There are many factors that go into making humane euthanasia decisions for behavior. A dog can have a multitude of dispositions that alone would not equate dangerous or vicious, but combined, would make placement in a home and community unsafe.

Solano County also has concerns regarding the provisions in the bill pertaining to amending SEC. 11. Section 32004 of Food & Agriculture to require a 24–72-hour mandated hold period on animals scheduled for euthanasia. This requirement isn't as easy as just "planning ahead" or being more transparent; it's a one-size-fits-all mandate that will have negative consequences. Public shelters and contracted nonprofit shelters need to pivot quickly when intake exceeds space. To consistently meet the requirements under AB 2265, shelters will need to redefine what it means to be "full."

Currently, most shelters operate at capacity and only make difficult humane euthanasia decisions when necessary. Further, as this bill sets a new policy for the state that no animals shall be euthanized except in the most egregious circumstances; it appears to require that shelters unnecessarily extend animal suffering after a qualified professional determines that euthanasia is in the animal's best interest for health or behavioral reasons. The attempt to mandate a "hurry, this animal is about to die" promotion is misguided and does not improve overall live outcomes. Shelters make real progress when they minimize the length of stay for animals, and don't wait until euthanasia is imminent to do everything possible to adopt or foster that animal.

Finally, AB 2265 will require government and government-contracted animal shelters to provide public notice and ultimately a public hearing if they want to change any policy, practice, or protocol specific to Food and Agriculture SEC. 12. Section 32005 (2). This is problematic because the laws that govern the work done by government animal shelters span a variety of code sections. They are diverse, complicated, and can be hard for the public to understand. While Solano County supports accountability and values public participation, they do not believe it should come at the expense of hamstringing the ability of shelters to quickly adjust to current circumstances. Therefore, Solano County opposes the corresponding provisions related to public hearings because it will lead to more overcrowding, cause more harm, higher humane euthanasia, and reduced public safety.

For these reasons, Solano County must respectfully oppose AB 2265.

Sincerely,

A handwritten signature in black ink, reading "Mitch N. Mashburn". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mitch Mashburn, Chair
Solano County Board of Supervisors

CC:

Members, Assembly Appropriations Committee
The Honorable Kevin McCarty, California State Assemblymember
The Honorable Bill Dodd, California State Senator
The Honorable Lori Wilson, California State Assemblymember
Honorable Solano County Board of Supervisors
Tom Ferrara, Solano County Sheriff-Coroner
Paragon Government Relations
Karen Lange, SYASL Partners, Inc.