

# AGENDA MATERIAL

DATE 4/21/20 ITEM NO. RA 17

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Our File No. 84-145-001

April 17, 2020

*Via email and regular mail: cob\_mail@pima.gov; email district1@pima.gov; email district2@pima.gov; email district3@pima.gov; email district4@pima.gov; email district5@pima.gov*

Clerk of the Board of Supervisors, Pima County  
Supervisor Ally Miller, District 1  
Supervisor Ramón Valadez, District 2  
Supervisor Sharon Bronson, District 3  
Supervisor Steve Christy, District 4  
Supervisor Betty Villegas, District 5

*RE: Proposed Changes to Pima County Animal Control Ordinance - Title 6.*

Dear Supervisors:

I'm writing on behalf of Jane Schwerin to address important issues regarding proposed changes to the Pima County Animal Control Ordinances. My client has thoroughly studied the current animal protection laws and the proposed new revision. Ms. Schwerin was and is entirely right in saying that the new proposal "eviscerates, weakens, or omits several of the best animal protection provisions that are now in the current Pima County Code." (See Ms. Schwerin's letter to Sharon Bronson and Richard Elias, December 10, 2019 - of record with the Clerk of the County Board).

Some examples of what she can prove:

1. The new law omits the current crucial provision that Pima County legally may, and must, refuse to release animals to anyone who would not provide a suitable home.
2. The new law omits a current provision for removing and rescuing any animal subjected to unreasonable or unnecessary . . . suffering . . . of any kind.
3. The current law includes for animals transferred to supposedly reliable animal welfare organizations many conditions that protect these animals (such as repossessing the animals if the transferees violate a cruelty law) and also includes a condition that the animals be spayed or neutered before being released. All of these conditions are omitted in the new law.

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4. The new law repeals several other requirements for spaying and neutering dogs and cats, which requirements are in the current law. One of these omissions is probably illegal because the omitted requirement is in the state law, and the county cannot have a law less stringent than state law on that subject.

5. The current law, Chapter 6.05, requires that wolf hybrids and coyote hybrids be spayed or neutered. The new law repeals this entire chapter and retains only a small, meaningless scrap of it.

My client can prove that the new law also contains other harmful (to animals) provisions.

Those ramroding the new law have never given a good reason for wanting to repeal the now existing superior (for animals) provisions and replacing them with inferior measures or, in some cases, omitting them completely. Those persons have offered only vague reasons for passing the new law, such as saying that it would bring the county's law into line with current operating procedures and enforcement efforts. Those people do not, and cannot, prove anything they say.

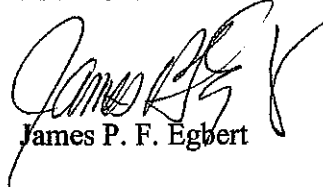
By contrast, in the letter mentioned above, Ms. Schwerin urged you to meet with her so that she could show you proof of what she was saying. Additionally, Ms. Schwerin further gave to you just a small part of her proof in person at the Supervisors Meeting on March 3, 2020, and she understood that one or more of the supervisors agreed to meet with her.

Time is running short. Ms. Schwerin is still eager to meet with any board member and share her proofs with you. It would be a travesty and a tragedy if the supervisors passed the new law without ever considering the proof that the new law is bad for all animals.

I strongly recommend that you vote against the new law, and if you have not already decided to do that, allow Ms. Schwerin to provide you with incontrovertible evidence that the new law should be rejected. If you are too busy to do that because of the corona virus problem, please postpone any vote on this issue until after you, together with a county attorney representative have met with Jane Schwerin to receive her proofs.

Very truly yours,

LAW OFFICES OF JAMES P. F. EGBERT, P.C.



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