



# AMERICAN HUMANE

*Protecting Children & Animals Since 1877*

To The Minnesota State Legislature

January 14, 2009

American Humane strongly supports the 2009 legislative bill to stop the practice of mandatory pound seizure in Minnesota. American Humane is the nation's oldest nonprofit, nonpartisan membership organization dedicated to protecting children and animals from maltreatment. The Public Policy office has played a leadership role, working in coalition with other nonprofits, in addressing the critical need for protection of animals, including ending the out-dated practice of pound seizure. Our support of this legislation reflects over 130-years of progressively advocating at the federal, state, and local levels for laws that protect the public and animals from abuse and neglect.

Minnesota is currently one of three states that has a law mandating pound seizure (Minn. Stat. §35.71). [Pound seizure is the practice of allowing homeless and maltreated shelter cats and dogs to be taken from the shelter for purposes of research experimentation.](#) Currently, 18 states prohibit the practice of pound seizure.<sup>1</sup> This includes prohibiting U.S.D.A. Class B Dealers (who obtain animals from random sources including animal shelters) from obtaining shelter animals for re-sale or use in research facilities. These states also prohibit municipal shelters from providing shelter pets to research.

Laws prohibiting pound seizure are good for people and pets in communities. Good Samaritans bring stray cats and dogs to a shelter in hopes of reuniting the pet with its family, or may call in a complaint about animal cruelty in hopes that the animal will be rescued and placed safely at the shelter to await a new home. It then becomes a betrayal of public trust and a shock to the community when an animal shelter sells a stray or abused cat or dog to research. Such conduct is contrary to the purpose of an animal shelter and contrary to the laws that require that stray animals be brought to the shelter or abused animals receive shelter from harm. Investigations have also revealed stolen animals being brokered into research facilities. In 2005, the University of Minnesota at Minneapolis discovered that one of its research dogs, purchased from a Class B dealer, had a microchip. The dog was found to be stolen and was returned to the rightful owner.

This legislation will not inhibit legitimate medical research. If a research facility still engages in animal testing, rather than in vitro or other alternative forms of testing, animals are still available from licensed dealers or breeders who specifically breed animals for research (USDA Class A dealers). This legislation will only eliminate the taking of **shelter** animals for experimentation. The Minnesota Board of Animal Health has confirmed that no institutions licensed to requisition animals have done so since at least 2001. Therefore, this bill is simply legalizing what is already a reality in Minnesota. American Humane looks forward to the year that Minnesota passes this important legislation. We hope it will be 2009.

Sincerely,

Allie Phillips, J.D.  
Director of Public Policy

**Office of Public Policy**  
206 North Washington Street, Suite 300  
Alexandria, Virginia 22314  
(703) 836-7387 fax (703) 549-5437  
[www.americanhumane.org](http://www.americanhumane.org)

---

<sup>1</sup> California, Connecticut, District of Columbia, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia and West Virginia.