



AMERICAN  
KENNEL CLUB<sup>SM</sup>

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September 24, 2020

Connecticut Police Transparency and Accountability Taskforce  
c/o Joint Judiciary Committee  
Legislative Office Building, Room 2500  
Hartford, Connecticut 06106

**RE: American Kennel Club Concerned with Animal Control Inconsistencies in Public Act No. 20-1, “An Act Concerning Police Accountability”**

Dear Chairman McGraw and Connecticut Police Transparency and Accountability Taskforce Members:

The American Kennel Club (AKC) was founded in 1884 and is a recognized and trusted expert in canine health, breeding, and training, and in promoting responsible dog ownership. We represent over 5,100 dog clubs nationally, including 57 in Connecticut. On principle, the AKC supports reasonable and enforceable laws that protect the welfare and health of purebred dogs and do not restrict the rights of breeders and owners who take their responsibilities seriously. We support the right of people to own, train, interact with, and exhibit their dogs without interference; and abhor acts of violence, bullying, and intimidation committed against dog owners, breeders, kennels, pet stores, and research facilities by those who object to the keeping, breeding, and use of animals. **Unfortunately, AKC is aware of instances of harassment, intimidation, and exploitation of responsible dog breeders and enthusiasts by such anti-breeder activists.**

During its recent special session, the Connecticut legislature enacted HB 6004 to establish new requirements and oversight to restore public trust in Connecticut law enforcement units. Issues addressed include disciplinary actions for misconduct, professional liability coverage, and the scope of qualified immunity. The timeline from introduction to the Governor’s approval of Public Act No. 20-1 did not afford the same opportunity for public comment and potential amendments that this taskforce is now providing. We are grateful for this chance to share pertinent information with you.

Although Public Act No. 20-1 makes clear that animal control vehicles are considered “police patrol vehicles” required to utilize dashboard cameras and that animal control officers are regarded as “police officers—i.e., as members of a law enforcement unit who perform police duties required to utilize body-worn cameras and maintain digital data recordings—the new law is inconsistent with regard to disciplinary enforcement. For instance, in line 193, HB 6004 provides the Connecticut Police Officer Standards and Training (POST Council’s with the new authority to decertify an officer if (I) the holder has been found by a law enforcement unit, pursuant to procedures established by such unit and considering guidance developed under

subsection (g) of this section..., to have engaged in conduct that undermines public confidence in law enforcement, including, but not limited to, discriminatory conduct and falsification of reports. **However, in subsection (f), line 263, municipal animal control officers are expressly exempt from this standard.**

Everyone agrees that animal cruelty is a deplorable act. Animal control officers (ACOs) are relied upon to enforce cruelty statutes to be followed by serious consequences for violators. Connecticut ACOs exercise significant authority to petition the courts for search warrants that can result in the seizure of property.<sup>1</sup> **We believe that holding animal control officers to the same law enforcement standards of oversight and integrity when performing their responsibilities ought to be a priority for the state.**

The unlawful use of police powers and one's role as a public servant for private gain, without consequence, are behaviors capable of eroding the public's trust in law enforcement. For example, charges have been brought this year against a dog breeder by a Connecticut municipal animal control officer who, not so coincidentally, also published a book (currently available on Amazon.com) that details her animal rescue efforts. In press coverage, this ACO spoke about her future plans to author another book.<sup>2</sup> However, failures to comply with rules of criminal procedure and evidence regarding inventory of property seized, notice of charges, and statutory deadlines, resulted in a delayed issuance of an arrest warrant for this breeder concurrent with national media coverage of famed Westminster Kennel Club's annual dog show. We believe this fact pattern pinpoints how the public's trust in law enforcement can easily be eroded when an enforcement official's motivation is suspect, to any extent, due to the receipt of private gain.

In addition to the exemption for municipal ACOs in Public Act No. 20-1, it is also not clear that an entity contracted to assist with Connecticut municipal animal control responsibilities would be treated as an ostensible agent of law enforcement, if misconduct is suspected. As you consider what constitutes "police misconduct", please know that officers and members of private animal rights organizations may also be certified as "special officers" to assist with Connecticut animal cruelty enforcement responsibilities, but who would not be held accountable to the same oversight and requirements as law enforcement officers.<sup>3</sup> Therefore, such entities could make false allegations or engage in other patterns of misconduct that lead to an individual's arrest, all without any reporting, investigation, review of behavior patterns, or consequence.

To illustrate the magnitude and severity of misconduct that can occur by private entities performing law enforcement responsibilities, we share two New Hampshire experiences. The use of evidence obtained by the Humane Society of the United States (HSUS) while assisting with the seizure of numerous dogs from a New Hampshire resident in 2017 is currently on appeal to the New Hampshire Supreme Court. The dog owner defendant's attorney is arguing for suppression of evidence based on an agreement made between the local police department and HSUS prior to the search. That agreement authorized HSUS' use of seized evidence for their private fundraising purposes.<sup>4</sup> Last year, an AKC Breeder of Merit was falsely accused by the New Hampshire Society for the Prevention of Cruelty to Animals (NHSPCA) while it was under contract to provide animal control services to the town of Durham, New Hampshire. The accused breeder was charged with animal neglect concurrent with national media coverage of the Westminster Kennel Club's annual dog show. The result for this breeder was significant legal costs, charges by the NHSPCA to board their seized dogs and emotional harm. Later, the charges were dropped by the police department without any investigation or repercussion.<sup>5</sup> The

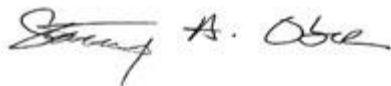
breeder believes that they were targeted with false allegations due to their participation in the legislative process in which they expressed concerns about legislation onerous to responsible breeders.

According to a September 2019 report by the Connecticut Office of Legislative Research, the Connecticut judicial branch reported that from 2008 through 2018, 3,500 offenses were charged under the animal cruelty statute. Approximately 80% of these cases were either dismissed or not prosecuted for lack of prosecutorial evidence.<sup>6</sup>

In the spirit of consistency, kindly consider a taskforce report recommendation that holds all Connecticut animal control officers to the same oversight and standards established in Public Act No. 20-1 and to be recommended by this taskforce for Connecticut law enforcement units.

Thank you for your consideration. I can be reached at (919) 816-3348 or [Stacey.Ober@akc.org](mailto:Stacey.Ober@akc.org).

Sincerely,



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AKC Government Relations

CC: Laurie Maulucci, Connecticut Federation of Dog Clubs and Responsible Dog Owners (CFDRDO)

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<sup>1</sup> CONN. GEN. STAT. § 22-329a. Seizure and custody of neglected or cruelly treated animals and CONN. GEN. STAT. § 22-330. Authority of officers issuing summons.

<sup>2</sup> Goode, S., "Tales from the Fur Side," *Courant Community*, April 29, 2013, accessed September 23, 2020 at <https://www.courant.com/community/bloomfield/hc-xpm-2013-04-29-hc-bloomfield-animal-control-author-0501-20130429-story.html>

<sup>3</sup> CONN. GEN. STAT. § 29-108b. Appointment of agents as special police officers.

<sup>4</sup> Brief of Defendant – Appellant Christina Fay, The State of New Hampshire Appellee, v. Christina Fay, Appellant, New Hampshire Supreme Court, No. 2018-0402, accessed August 17, 2020 at <https://www.courts.state.nh.us/caseinfo/pdf/fay/060319Fay%20Brief.pdf>

<sup>5</sup> Early, B., "Charge Against Durham Dog Breeder Dropped," *Seacoast Online*, May 8, 2019, accessed August 17, 2020 at <https://www.fosters.com/news/20190508/charge-against-durham-dog-breeder-dropped>

<sup>6</sup> "Animal Cruelty Cases in Connecticut, 2008 – 2018," Connecticut Office of Legislative Research, September 2019 Research Report, accessed September 23, 2020 at <https://www.cga.ct.gov/2019/rpt/pdf/2019-R-0154.pdf>