



The Honorable Mark R Herring
Attorney General of Virginia
900 East Main Street
Richmond, VA 23219

28 December 2014

Dear Mr. Attorney General,

I am writing because an incident involving the family of Wilbur Zerate has brought to light disturbing practices at the People for the Ethical Treatment of Animals (PETA) animal shelter, in Norfolk, Virginia. As we understand the situation, based on videotape evidence and news reports that PETA has not denied, PETA employees took the Zerate family dog, Maya, off the front porch of the Zerate residence in Parksley, VA without the consent of any resident of the household. Several times over the following few days, Mr. Zerate contacted PETA to obtain Maya's return. But the day after Maya's taking, PETA employees had apparently ended Maya's life, despite the fact there is no suggestion that Maya was ill or injured. We believe these actions by PETA are contrary to animal welfare and violate numerous provisions of the Virginia animal laws. We ask you to investigate the incident and sanction the PETA animal shelter, as appropriate.

Founded in 1959, the Virginia Federation of Humane Societies is the leading voice for animal welfare in Virginia. The Federation is a membership organization which includes many of the Commonwealth's public and private animal shelters, although not PETA. The Federation has the vision of ending the unnecessary euthanasia of cats and dogs and the advancement of animal welfare throughout the Commonwealth of Virginia.

Although the Virginia Department of Agriculture and Consumer Services is the primary body with oversight over animal shelters, Virginia law grants the Attorney General the authority to partner with VDCAS on investigations and enforcement proceedings. In particular, Va. Code § 3.2-6548(K) authorizes the Attorney General, on the request of the Commissioner of the Department of Agriculture, to "bring an action to enjoin the violation or threatened violation" of *any* of the laws governing animal shelters. The Attorney General is also designated by § 3.2-6548(J) as the person to bring a civil action to recover any civil penalties assessed against an animal shelter.

We urge you to partner with VDACS on an investigation of PETA's practices. In particular, we are concerned that the following sections of law relating to the operation of animal shelters may have been violated:

Virginia Federation of Humane Societies (VFHS)
P.O. Box 545, Edinburg, VA 22824
www.vfhs.org/www.spayva.org
info@vhs.org

- The requirement under § 3.2-6557 that the custodian of any animal shelter or representative of any humane society make a record of any animal taken into custody by the animal shelter or humane society, and to maintain that record for five years. The record is to include, among other things, the date on which, the reason for, and the location where, the animal was taken into custody, and the disposition of the animal. We are not aware whether this required animal record was created in Maya's case.
- The requirement under § 3.2-6548(D) that the animal shelter transmit a description of an animal received to the public animal shelter where the animal was found, within 48 hours of the animal shelter receiving the animal.
- The holding period requirement under § 3.2-6548(A) (referencing § 3.2-6546(C)) that an animal be held for a minimum of five days (or ten days, in the event the owner can be ascertained) before disposition, to allow for an owner to reclaim the animal. We are gravely concerned that PETA appears to have ended the life of Maya before the conclusion of even the five-day holding period. Considering that PETA took Maya from her own porch and may have known Maya and her owners prior to this incident, the ten-day holding period with notification to the Zerate family would have been warranted. As this incident shows, a pause between intake and potential euthanasia of an animal can save the life of the animal, particularly in a situation like this where the animal's owner reaches out in a timely manner to obtain the animal's return – even without the benefit of having been notified by PETA of Maya's confiscation.

Virginia laws pertaining to animal shelters prioritize reuniting lost animals with their owners and the adoption of unclaimed animals. But for many years, the PETA animal shelter has made strikingly little impact at saving animals' lives. According to information submitted by PETA to VDACS, in 2013, less than 4% of dogs entering the PETA shelter were adopted out, while over 70% were euthanized. For cats, over 90% were euthanized, while only 1% were adopted out. The taking and killing of Maya raises questions about whether the PETA shelter abides by Virginia laws designed to protect animals, or whether, in a manner unauthorized by law, the PETA shelter inappropriately ends the lives of animals. Even more disturbing in Maya's case is that Maya did not rightfully belong to PETA when PETA chose to end her life – and Maya's owners very much wanted her and loved her.

Citizens of the Commonwealth should be able to trust that an animal shelter is truly a safe haven for lost and homeless pets. PETA's apparent abuse of its "shelter" status violates not only the governing laws and regulations, it violates the public trust. The Federation is particularly concerned that this incident may damage the perception of animal shelters as a whole, many of which are Federation members who dedicate their lives to saving animals and working within Virginia laws.

Thank you for any influence you can provide to bring about some good to the Zerate family and the public at large from a situation so clearly tragic concerning little Maya.

Sincerely,



Debra Griggs
President

Virginia Federation of Humane Societies (VFHS)
P.O. Box 545, Edinburg, VA 22824
www.vfhs.org/www.spayva.org
info@vhs.org