



December 15, 2014

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**THE CENTRAL VIRGINIA
HUMANE SOCIETY**

richmondspca.org

Carolynn Bissett, DVM
Virginia Department of Agriculture and Consumer Services
Office of Animal Care and Health
P.O. Box 1163
Richmond, VA 23218-1163

Dear Dr. Bissett:

You and I spoke by phone not long ago about our organization's grave concerns regarding the seriously troubling activities of PETA in the Tidewater area that, we believe, have resulted and continue to result in the mass killing in contravention of Virginia state law of innocent animals that we believe to be healthy or treatable and in many instances owned and beloved family pets. You advised me that your office needed to receive a documented complaint in order to proceed with an investigation. Please accept this letter to you as such a complaint requesting your investigation. I expect that it will not be the only one that you will receive.

I believe that you are aware of the recent events in Accomack County surrounding the theft of a small Chihuahua named Maya off of the front porch of her family home by PETA personnel and the subsequent killing of that innocent and healthy dog by PETA in violation of numerous state laws. The event has been reported in all of the local news media including a front page article in the Virginian Pilot. The thieves who were PETA personnel were charged with their crimes by the Accomack County Sheriff but the charges were later nolle prossed by the Commonwealth's Attorney Agar based on a legal analysis that fails to stand up to scrutiny. This wrongful failure to prosecute on his part, however, has no significance to the issues that we are now raising with your office since it involves a wholly different legal standard.

The theft of the dog from her family's own home was documented on a security video belonging to the family and the veracity of the incident is without question. In fact, PETA personnel returned to the home a few days later with a fruit basket and an apology for the Zarate family for having killed their dog. The PETA personnel had had numerous interactions with the Zarate family over prior months and they were well aware that the dog belonged to the Zarates and was loved by them. Since the time of the visit to the Zarate home with the fruit basket, PETA has been totally silent on the matter while public outrage has been enormous (See the Stand for Maya Facebook page) and is growing. We do not believe that this was an isolated instance but rather an example of a consistent pattern of conduct that is in violation of Virginia state law.

We believe the theft of the dog was a felony under Virginia law. PETA appears to be alleging that the dog was a stray, regardless of the fact that the dog was on the property of her own family. Even were we to assume that the dog was a stray, which we know she was not, then PETA violated the Virginia statute regarding the required stray holding period and the requirement that the jurisdiction be notified of a private entity holding a stray for the requisite period. The killing of the dog without having observed the stray holding period was also a violation of the related

Richmond Society for the Prevention of Cruelty to Animals

directive of your office. In addition, PETA despite having knowledge of the Zarates' ownership of the dog made no attempt to contact them to let them know that their dog was in PETA's possession nor did PETA make any response to the Zarates' phone calls to PETA in search of their beloved pet. The dog was simply killed by PETA.

This is not the first occasion upon which PETA has engaged in this sort of activity. A similar incident occurred in North Carolina. Their annual statistics filed with your office indicate that they are killing the vast majority of the animals entering their facility. There is no effort whatsoever being made to adopt any of those animals and their facility lacks any individual holding areas in which animals may be kept for reasonable periods of time to provide a chance for adoption. Clearly, the dog stolen from Accomack County was killed even though she was young and healthy and there was no effort made by PETA to make her available for adoption or to transfer her to an organization from which she might get adopted.

It is clear that the facility operated by PETA in Norfolk is simply a killing facility for companion animals and not a shelter as that term is defined in the law of our state. It is not being maintained with the "purpose of finding permanent adoptive homes for animals" as is required. We respectfully request that your office perform a thorough investigation of the activities and procedures of PETA and determine whether their facility in Norfolk should cease to be designated as an animal shelter under Virginia law.

Another matter is of concern to us. As of last year, the inspection records of your office reflect that Tonya Higgins, DVM is the licensed veterinarian for PETA's Norfolk facility supervising euthanasia. However, Dr. Higgins has acknowledged that she does not provide any training for or oversight of the euthanasias performed at the PETA shelter in Norfolk. She has indicated that she only oversees the records for controlled substances kept there. We ask that your office fully investigate whether there is a licensed veterinarian providing the training and oversight of euthanasia at the PETA facility as is required by Virginia law.

We believe that the numerous foregoing matters deserve investigation by your office and, if the breaches of law and regulations are confirmed to have occurred, then we ask that you revoke their license to operate an animal shelter and impose all appropriate sanctions. Please let me know if there is any further information that I might provide. Thank you for your help in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Robin Starr". The signature is fluid and cursive, with a large initial "R" and "S".

Robin Robertson Starr
Chief Executive Officer