



March 18, 2019

The Hon. Gavin Newsom
Office of the Governor
1303 10th Street, Suite 1173
Sacramento, CA 95814

Dear Governor,

The No Kill Advocacy Center is the country's premier national organization working to end the systematic killing of animals in U.S. shelters. Based in California, we have assisted communities across the country achieve placement rates as high as 99%, with hundreds of cities and towns now placing over 90% of all dogs, cats, rabbits, and others in their municipally-funded animal shelters.

On behalf of the organization, I am writing in response to your passionate defense of our "bedrock values" through issuing a moratorium on the death penalty in California. In signing the moratorium, you stated that, "The intentional killing of another person is wrong" and that no "civilized society can claim to be a leader in the world as long as its government continues to sanction the premeditated and discriminatory execution of its people." You also noted that the death penalty has "provided no public safety benefit or value as a deterrent. It has wasted billions of taxpayer dollars. Most of all, the death penalty is absolute. It's irreversible and irreparable in the event of human error." And you closed by noting that, "we are better than that."

We *are* better than that, and we are better in other ways, too. I'd like to take this opportunity to ask you to expand our "bedrock values" to over 160,000 non-human animals on death row in California's pounds and shelters every year. California kills more animals than any other U.S. state. And we don't have to. It's uncivilized, it has wasted "taxpayer dollars," it provides "no public safety benefit or value," and it is "absolute," "irreversible," and "irreparable." Moreover, everyone on death row in our state's shelters is innocent.

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For far too many years, this killing has been done in the name of pet overpopulation and under the false premise that alternatives to killing were not feasible, practical, or affordable. In other words, the killing has proceeded under the false belief that the problem of shelter killing was not solvable. It is.

The problem of shelter killing — a problem that not only robs animals of their lives but breaks the hearts of compassionate Californians — has a fix: *change how shelters are run*. We know how to end the killing. Using the most successful shelters as a benchmark and adjusting for population, U.S. shelters combined have the potential to adopt out almost nine million animals a year. That is over four times the number being killed. In fact, it is more than total impounds. But the news gets even better. Every year, as many as 30 million people will add a new dog or cat to their home. The reason animals are dying in shelters is not a lack of homes. It is that most shelters in California, and elsewhere, are not being run effectively, efficiently, or in line with the values of the American people that pay for them. Too many animals are denied adoption, either because they are killed before they are given the opportunity or because the shelter is failing to leverage the public's compassion to maximize lifesaving potential.

Now that we have a Governor with bold plans to solve problems, we are reaching out in hopes that you will. In doing so, it is not my intent to be disrespectful about issues involving the taking of a human life. I do not mean to downplay the impact on the families of the victims. And I do not intend to get into a distracting debate about real or false equivalencies between humans and non-human animals. This purpose of this letter is not to discuss larger philosophical meanings. It is practical in scope and request. We need to stop killing dogs, cats, and other animal companions by abolishing the “death penalty” in California’s animal shelters. And experience proves we can.

In the last several decades, hundreds of communities across the country have ended the killing of healthy and treatable animals in their municipal shelters. As a result, they are achieving unprecedented results, placing upwards of 99.9% of all impounded animals in open admission animal control/municipal facilities. And it did not take them years to do it. Of the hundreds of cities and towns placing between 90% and 99% of the animals, the vast majority did it in six months or less; many achieved it overnight. There is no reason why we cannot achieve these results statewide by embracing comprehensive, shelter reform legislation. A link to the Companion Animal Protection Act (CAPA), the No Kill Advocacy Center’s model ordinance which will yield these benefits to animals, residents, taxpayers, and local businesses, can be found at nokilladvocacycenter.org/companion-animal-protection-act.html.

In 2010, Delaware passed CAPA, resulting in statewide placement rates of over 90%. The Delaware Office of Animal Welfare, the state agency that oversees Delaware’s shelters, writes that the law “has saved thousands of animals that would have otherwise been euthanized due to outdated policies and practices.” Austin, TX, did the same and now places 98% of dogs and 96% of cats. Muncie, IN, passed it

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and now places 99% of animals. By contrast, California shelters kill roughly one out of every three dogs and cats that enter their doors, rather than one out of every 100, as is possible when the same solutions that allowed for lifesaving success elsewhere exist here.

Solving this crisis would not only be good for animals and the people who love them; it is not just consistent with our “bedrock values;” it is also good business. A University of Denver study found that a No Kill ordinance passed in Austin yielded \$157,452,503 in positive economic impact to the community in its first six years — a return on investment of over 400%. The study concluded that, “The costs associated with implementing the Resolution appear to have been more than offset by a series of economic benefits to the community.” This was, according to the authors of the study, “the most conservative possible measure of the data.” In other words, the true economic benefit is likely to be higher.

The study also noted that the No Kill mandate brought new businesses like Google to Austin and improved overall civic health and engagement finding that,

An additional benefit appears to be the positive contribution of Austin’s progressive animal welfare policies to its brand equity. This impact is important as municipalities compete with each other to attract employee demographics that in turn draw new business and new economic growth to their area. Although not included in the final economic impact calculation, the potential impacts of progressive animal welfare policies on larger social and environmental outcomes, including public health, social capital, and community engagement, have important implications for Austin’s ability to promote and sustain the health and well-being of both its human and animal residents.

Prior studies have reached similar conclusions. In California, for example, one provision of CAPA resulted in a nearly 700% increase in lifesaving — from 12,526 animals a year before the law went into effect to 99,783 after. That increase corresponds with an annual cost *savings* of \$3,497,283 for killing and destruction of remains (these savings do not include additional savings related to the cost of care). Similar studies have been conducted in Florida, Michigan, Minnesota, and Oklahoma, with similar conclusions.

Additionally, communities like Muncie, Indiana, which passed CAPA — achieving placement rates of 99% — did not seek increases in budgetary allocations to animal services, as the vast majority of shelter costs remain fixed and any increased costs are more than offset by savings associated with declines in killing and additional revenues from increased reclaims and adoptions.

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The conclusion is inescapable: No Kill is cost-effective, fiscally responsible, and a great economic boon to local communities. Municipalities which want to enact good policy and improve the local economy should invest in lifesaving at their local shelter. Given the cost savings and additional revenues of doing so (reduced costs associated with killing, an increase in adoption revenues and other user fees, enhanced economic spending in the community, and additional sales tax revenues), California cannot afford to continue business as usual.

Finally, a recent study found that 96% of Americans believe we have a moral duty to care for animals and should have strong laws to do so. Not surprisingly, the Delaware law passed unanimously, the Austin law passed unanimously, the Muncie law overwhelmingly passed, and the California legislation passed by a vote of 96 to 12, as close to unanimity as one could get in a state as large and diverse as California. A No Kill ordinance is not just good ethics, good business, and good economics, it's good politics.¹ Indeed, love for dogs and cats is one of the few issues that cuts across all other demographic divides, be they economic, regional, or political, despite our nation's intense polarization.

As such, solving the problem of shelter killing doesn't require changing the hearts and minds of the public, which already supports the cause to protect our state's most vulnerable dogs and cats. The problem is that many local municipalities continue to run their shelters on a failed, flawed, reactive, anachronistic 19th Century model that seeks to impound and kill animals at the lowest possible short-term cost, without regard for long-term costs, broader economic benefits, or ethics. They have historically fought any effort to modernize operations, choosing to hide behind worn out cliches about "public irresponsibility" and the need to kill. And they hide behind out of state organizations such as the ASPCA and the Humane Society of the United States which continue to champion outdated models by also hiding behind their unworthy but pedigreed names. You stood up to similar resistance and similar forces on affordable housing. You stood up to them on the death penalty. Please stand up to them on shelter killing. The people of California would support your effort to do so enthusiastically.

Governor, during your press conference, you praised Sen. John Burton as a moral leader and pioneer for justice, who introduced a bill in 1965 — 51 years ago — to abolish the death penalty. At some point, some other pioneer will introduce a bill to end the killing of our best friends and our family members in animal shelters. Do we have to wait over half a century and millions of deaths before we see someone stand up for them?

¹ Links to these studies and additional analyses of costs vs. placement rates can be found online at nokilladvocacycenter.org/costs.html. A link to communities with placement rates between 90% and 100% can be found at saving90.org.

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You closed your press conference saying that, “we are no longer going to support the injection protocol” and “are shutting down” and “removing the equipment in the death chamber” in California. Please take a stand for the animals, too, by not supporting the “the injection protocol” used over 160,000 times a year in California against dogs, cats, rabbits, and other animals. Help us shut down those “death chambers,” too.

Very truly yours,

Nathan J. Winograd