

Talking points for A4385: Requires institutions of higher education to offer cats and dogs no longer used for educational, research, or scientific purposes to animal rescue organizations for adoption.

Summary

Overall, this bill:

- Is unnecessary because the research community already adopts out dogs, cats and other research animals whenever possible.
- Further regulates already highly regulated research which increasing the cost (both in time and money) of advancing medicine and science in our state.
- Makes our state “unfriendly” to conduct life-saving research that required animal models since this legislation opens the door for unnecessarily further regulating research.
- Is part of an anti-animal research campaign vilifying researchers and proliferating misconceptions about the need for and care of animals in research.
- Has the potential to overburden local animal shelters.
- Serves to allow animals to be exploited to further the agendas of anti-research organizations.

Details

- The retirement and adoption of research animals is not a new concept: New Jersey’s research institutions already have adoption arrangements and have had them for many years. Our institutions have robust adoption programs in place with private individuals and adoption agencies whom they have vetted and with whom they have established solid relationships. . There are many reliable individuals and organizations that already assist with this effort.
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- This legislation is being marketed as a “feel good” solution in search of a problem. The adoption of research animals is already widely embraced by the research community, and decisions about how and when to do so are handled by highly qualified experts at the research institution.
- The legislation claims that it will help more research animals get adopted when in reality – it will not change the number of animals that are adopted since research institutions already adopt out animals that are appropriate for adoption.
- Research institutions have carefully developed customized adoption policies and procedures for the retirement of dogs, cats as well as other research animals. These policies take into account the types of studies the animal has been involved in, whether the animals, which are purpose bred for research, are suitable for adoption, training required for both the animal and new owner to ensure a smooth transition, and a host of other factors. Legislation requiring adoption of dogs and cats may limit the decision-making of the attending veterinarians, and not permit these important factors to be taken into consideration.
- The proposed legislation actually undermines the current successful practice, for several reasons:
 - This legislation could disrupt the long-standing adoption relationships that New Jersey researchers have developed and possibly force them to rely on 3rd-party organizations that they may not know and that may not have the best interests of the dogs and cats or of the research community in mind.

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- The legislation could overburden state animal shelters if it requires that research facilities work through them since often they already have a system to privately adopt animals out. Research animals require specific training before they can be adopted into a home. Care must be taken to ensure they go to patient, loving families and procedures must be in place to ensure they never end up in a shelter.
- This bill will produce additional regulatory burden for our research institutions and the State of New Jersey without providing a single true benefit for our animals
- The bill requires release to "animal rescue organizations". The implication that our animals need to be "rescued" is false; it plays into misconceptions of how animals are treated in research settings. The dogs and cats in our facilities receive excellent housing, socialization, food and care. Further, shelters and "rescue" organizations do not possess greater expertise, education, or experience than the dedicated veterinarians and animal care staff who are responsible for the daily care of these dogs and cats. These professionals are therefore the most credible entity for managing the safe disposition of their dogs and cats into adoptive homes.
- An "Animal Rescue Organization" as defined in the bill means the home or other facility in which an animal rescue organization houses and cares for an animal. Our dogs and cats are not "in need" of rescuing.
- Many of the dogs and cats in education are used in the training of veterinary technicians and animal care technicians, in certificate and associate's degree programs at our community colleges and are, in many cases, not owned by those institutions.
- The bill requires that animals are turned over to a third party animal rescue organization forces highly regulated research facilities to turn animals over to less regulated entities.
- In addition, the level of vet care for animals going to a shelter for adoption will drop. Research facilities maintain top care levels with extremely well trained staff with attending vets, usually full time on site vets and vet techs with fully stocked vet care facilities. This is not the case at shelters. So, these adoption bills essentially put animals in facilities that do not provide the same levels of vet care as research facilities.

Additional notes:

- The main proponent of this legislation is the Beagle Freedom Project (BFP) which was founded by Animal Rescue Media Education (ARME). Kevin Chase (a.k.a. Kevin Kjonaas) is BFP's Director of Operations. Kjonaas is a convicted felon, prosecuted under the Animal Enterprise Protection Act (18 USC § 43) for his role in a lengthy campaign of harassment and threats against researchers, their family members and those who conducted business with research organizations. Shannon Keith, ARME's founder, is an attorney and filmmaker who specializes in apologetics for animal extremism. One of her films is *Behind the Mask*, which valorizes the Animal Liberation Front (ALF) declared a domestic terror organization by the FBI

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- Beagle Freedom Project has in tandem launched an open records initiative in which its supporters are flooding public academic institutions with open records requests concerning the animals in their care. Stony Brook University in New York, for example, has been swamped by such action, resulting in huge and wasteful administrative burden. This project is designed to direct resources away from research by seeking records that are irrelevant to the care of animals.
- Requiring the adoption of privately owned animals may also represent an unlawful taking, as it requires private property to be given away without due process or just compensation as referenced by the Fourth, Fifth, and Fourteenth Amendments of the United States Constitution.
- Once any bill becomes law, amendments and further regulations are easier to accomplish. These could include:
 - Broadening the number of species covered (e.g., rabbits, guinea pigs, hamsters, rats).
 - Further regulating research resulting in the increased cost to do research in New Jersey.
 - Requiring annual reporting of the number of dogs and cats offered for adoption and their outcomes/dispositions. Such reports would be subject to open records laws which can open the institution up for harassment/abuse of the records law as currently seen by BFP's identity campaign and the abuse of open public records laws.
 - Eliminating any in-house decision making regarding the animal's well-being and simply mandating that all dogs and cats not euthanized in the protocol must be adopted, regardless of the veterinarian's determination of their fitness.
 - Restricting the kinds of studies or training in which dogs and cats may be used.
 - Making the research institution responsible for the dog or cat for its entire lifetime, even after it's adopted – e.g., retrieving and caring for the animal if the adoption doesn't work out, paying for its lifetime veterinary care.