



March 1, 2021

Chairperson Stephen M. Casey  
House Committee on Health & Human Services  
Rhode Island General Assembly  
82 Smith Street, Room 211  
Providence, RI 02903

Dear Chairperson Casey and Members of the Committee:

On behalf of Alley Cat Allies and our over 6,100 supporters in Rhode Island, I am writing to urge you to **remove written permission requirements from HB 5462, An Act Relating to Animals and Animal Husbandry**. If enacted into law as it is currently written, this bill will create a barrier to the only humane and effective program that is saving cats' lives and saving taxpayers' money statewide: Trap-Neuter-Return (TNR).

Alley Cat Allies is the leading advocacy organization dedicated to protecting and improving the lives of all cats. We have promoted sound and compassionate policies for cats since our founding in 1990, and we regularly work with lawmakers, shelters, and the public to change attitudes and advance lifesaving laws and policies that best serve the interests of cats.

Today, your constituents are volunteering their time and resources to practice TNR, a program in which community cats—owned cats who live outdoors—are humanely trapped, spayed or neutered, vaccinated, eartipped for identification, and returned to their outdoor homes. Without TNR, populations of cats continue to breed unchecked and many of these community cats are impounded and then "euthanized" (i.e. killed) in shelters at the expense of the taxpayer because they are not socialized to people or suitable for adoption.

**The original intent of HB 5462 was to promote TNR by exempting the program from the definition of abandonment.** Please see Section 4-1-26 (d)(1) and (d)(2):

*(d) It shall not be considered abandonment, and the provisions of § 4-1-26(a) shall not apply to any person who traps unowned feral or free roaming cats, causes those cats to be spayed or neutered, and subsequently releases those cats, provided:*

- (1) Any medical or surgical procedures performed on those cats are performed by a licensed veterinarian; —*
- (2) The cats are returned to the property where they were trapped; and*

We strongly support this language within the bill because it aligns with the original intent of the bill and provides an important clarification for those who do not understand the benefits of TNR. **TNR is not abandonment.** Anti-cruelty laws protect animals from human actions that compromise their health and wellbeing. An exemption is needed because TNR programs improve the lives of cats. Cats are not abandoned during TNR; cats are returned to their outdoor homes where they live and thrive. Thanks to TNR, cats and people can coexist peacefully because the cats no longer experience behaviors and stresses associated with mating and then caring for litters of kittens and they are vaccinated for rabies.

However, the bill includes additional language to require those who trap cats on private property as part of a TNR program to have written permission from someone with authority to grant permission. Please see Section 4-1-26 (d)(3):

*(3) If the cats were trapped on private property and the person who is entering the private property with written permission from a person with authority to grant such permission for the purpose of trapping cats.*

**This requirement will inhibit—not promote—TNR.** If HB 5462 passes as it is written, fewer cats will be spayed or neutered, fewer cats will be vaccinated, and more cats will be killed in shelters.

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### Written Permission Requirements Have No Legal Precedent in State Law

Multiple states have state laws that specifically support TNR, and none of them require written permission to trap on private property.

### Written Permission Requirements are Unnecessary

Not only are there existing trespass laws already in place to address unwanted activity on private property, canvassing neighborhoods and obtaining approval to trap cats is a TNR best practice.

### Written Permission Requirements Will Make TNR More Difficult

After supporting TNR programs across the country for almost three decades, we know firsthand that written permission requirements have a chilling effect. When TNR volunteers—good Samaritans who are giving their time and resources to provide a public service—are responsible for acquiring and storing signatures, they won't do it. When citizens who seek help managing the community cat population are required to sign a government-mandated form, they won't sign it. If HB 5462 passes with written permission requirements included, TNR in Rhode Island will be greatly compromised.

### It is for these reasons that HB 5462 needs to be amended to remove Section 4-1-26 (d)(3):

*(d) It shall not be considered abandonment, and the provisions of § 4-1-26(a) shall not apply to any person who traps unowned feral or free roaming cats, causes those cats to be spayed or neutered, and subsequently releases those cats, provided:*

*(1) Any medical or surgical procedures performed on those cats are performed by a licensed veterinarian;*

*(2) The cats are returned to the property where they were trapped. and*

*(3) ~~If the cats were trapped on private property and the person who is entering the private property with written permission from a person with authority to grant such permission for the purpose of trapping cats.~~*

TNR is the mainstream approach to community cats and is unquestionably the present and future of animal control and animal sheltering in the United States. We are a nation of compassionate people who, when given a choice, consistently favor laws and policies that do not bring harm or death to cats. Please don't create a barrier to TNR that will impede the continuation and expansion of this lifesaving work.

We urge you to amend HB 5462 on behalf of your constituents, our supporters, and Rhode Island's community cats. Thank you for amending this important bill.

Sincerely,



Becky Robinson  
President & Founder, Alley Cat Allies