

THE HUMANE SOCIETY OF THE UNITED STATES

December 4, 2007

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Barnett Lawley
Commissioner of Conservation
Alabama Department of Conservation and Natural Resources
64 N. Union Street
Montgomery, Alabama 36130

Dear Commissioner Lawley:

On behalf of our over 104,000 constituents in Alabama, The Humane Society of the United States (HSUS) thanks the Alabama Department of Conservation and Natural Resources for investigating state dog running pens and the live market these pens perpetuate. The Department's commitment to pursuing individuals abusing wildlife for penning activities is highly commendable.

The depth of illegal and cruel activities connected to this industry revealed by the investigation is troubling and The HSUS would like to support the Department in passing regulations that would finally put an end to penning.

The HSUS understands that the Department attempted to address dog running pens, and the disease concerns associated with this practice, in 1994 through prohibiting the artificial stocking of enclosures with wildlife trapped or obtained outside of the enclosure. However, running dogs on wildlife within an enclosure is permitted if the prey animals are found inside the pen naturally.

The HSUS would like to assist the Department in clarifying rules that might prevent another costly investigation. As evident by the Department's enforcement of the rules, confusion exists among pen operators concerning legal activities within a pen. The *Montgomery Advisor* recently editorialized against the cruelty in these pens, but incorrectly stated that penning practices are illegal.

Banning these inhumane facilities outright would dispel the ambiguity surrounding the current regulations. The HSUS's concerns related to fox and coyote penning are briefly outlined below:

Animal Welfare

Keeping wild, live animals for purposes of dog training within an enclosure is inherently inhumane, and should be banned on this premise alone. Most animals inevitably meet a cruel end when torn apart by the dog pack. The parallels between these grisly penning operations and other animal fighting operations, such as hog-dogging and dog fighting, are glaring.

Celebrating Animals, Confronting Cruelty

As the recent investigations uncovered, trapped animals sold into the live market are frequently sold illegally across state lines and endure inhumane and cramped, long distance transport before arriving at a pen.

Disease Transmission

Trapped, live coyotes are trafficked to many states, including some where penning is illegal, creating an immense disease threat. A study published in the *Journal of Wildlife Diseases* examining the disease presence found in captive wildlife kept for dog training enclosures concluded that the common practice of wild canid translocation for penning is “biologically hazardous.”¹

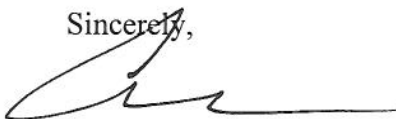
Many organizations have adopted a resolution in favor of increased restrictions or prohibitions on transporting wildlife for penning purposes including the American Veterinary Medical Association, International Association of Fish and Wildlife Agencies, and the Southeastern Section of the Wildlife Society.²

Law Enforcement

Federal and state authorities made arrests in a multi-state sting operation of fox pens earlier this month. In Virginia, there are 41 fox pens and 36 were out of compliance. In Alabama, 18 individuals were arrested for activities related to penning and the live market. Authorities brought charges against fox pen operators and trappers in half a dozen other states. Enforcing the loose regulations currently governing these pens is a costly endeavor. Banning them outright would save much needed resources.

Please contact me at your earliest convenience at 301-721-6417. Thank you again for embarking on an investigation of penning activities and I look forward to working with you on this important matter.

Sincerely,



Andrew Page
Director, Hunting Campaign
The Humane Society of the United States

¹ Davidson, W.R. et al. 1992. Diseases and parasites of red foxes, gray foxes, and coyotes from commercial sources selling to fox-chasing enclosures. *Journal of Wildlife Diseases* 28(4): 581-589.

² Baker, O.E. 1998. Status of Fox and Coyote Hunting Enclosures in the Southeastern United States. *Proceedings of the fifty-second annual conference of the Southeastern Association of Fish and Wildlife Agencies* 52: 367-376.