



February 27, 2015

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Acting Program Manager and Emergency Coordination Officer  
Office of Animal Care and Emergency Response  
Division of Animal and Food Industry Services  
Virginia Department of Agriculture and Consumer Services (VDACS)  
P.O. Box 1163  
Richmond, VA 23218

**Re: Case Number 1401**

Dear Dr. Bissett:

Please consider this the official response by People for the Ethical Treatment of Animals (PETA) to the January 9, 2015, Notice of Violation and Penalty Assessment received from your office on January 22. Accordingly, the following items are included herein:

1. A certified check in the amount of \$500
2. PETA's new "Animal Disposition Assessment Form," which should serve, along with the contents of this letter, as PETA's corrective action plan to aid in and add to existing protocols seeking to reinforce proper animal identification and to ensure that animals are held for the mandated holding period.
3. The signed Consent Resolution

As you know, PETA deeply regrets the incident that prompted this violation. The department supervisor learned of the incident on October 20, 2014, and immediately launched an investigation into the surrounding circumstances. She acted immediately to investigate and address the internal protocol violations, visit the dog's owners to apologize personally for the tragic error, and put in place measures to prevent such a truly unfortunate incident from ever occurring again. Specifically, we took the following actions:

- We immediately suspended—and subsequently terminated—the contract with the individual who picked up the dog.
- We launched an internal investigation.
- The department supervisor, Daphna Nachminovitch, and a Spanish-speaking PETA representative visited the dog's owners and other family members at the Dreamland 2 Mobile Home Park in Parksley on October 21 to inform them that a tragic mistake had been made and to offer our condolences and apologize in person.
- We conducted a thorough review of existing forms and protocols.
- We immediately implemented a new protocol that requires staff to call a supervisor for consultation and approval before accepting any unscheduled animal surrenders in the field.

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- Ms. Nachminovitch met with all animal shelter and field staff to conduct a thorough review of existing protocols and of the additional preventive measures implemented as well as to reaffirm that any violation of protocol is cause for dismissal.

We also immediately began using the enclosed form, which adds a triple-verification system to ensure the accurate identity, evaluation, owner surrender, and other circumstances of PETA's taking possession of an animal as well as ensuring compliance with the requisite holding period before disposition. The form must be filled out by a person other than the person who picked up the animal and is in addition to existing paperwork.

By way of background, PETA visited the Parksley (Accomack County) area at the request of a farmer who lives near Dreamland 2 Mobile Home Park. Local citizens had repeatedly called the local animal control agency and even appeared before the county board of supervisors as far back as November of 2013 to beg for help in dealing with packs of abandoned dogs, some in obviously bad condition. The dogs had threatened residents and attacked children. They had also attacked other animals and injured cats, maimed and mutilated cattle, and torn apart raccoons, and they were giving birth to litter after litter of feral, sickly puppies under trailers in the park. The county had apparently been called by multiple parties on multiple dates for many months, but the problem persisted, and so PETA was called upon to help.

PETA is dedicated to reducing animal overpopulation, homelessness and needless euthanasia in the Commonwealth. In 2014 alone, we spent more than \$1,000,000 on companion-animal services in Virginia. In addition to our public service announcements (many of which star popular celebrities) that educate people about adopting from shelters versus buying purpose-bred animals, spaying and neutering, responsible care of animal companions, keeping dogs indoors and never chaining them (as that can lead to illness or injury that goes unnoticed as well as other forms of neglect), and more, PETA also accomplished all of the following last year:

- Found permanent adoptive homes for more than 160 dogs, cats, horses, rabbits, and other animals and transferred more than 300 other adoptable animals to other shelters
- Facilitated lifesaving outcomes for more than 1,500 animals belonging to indigent families who needed help with medical services: Free of charge, PETA's veterinary staff repaired prolapsed organs, treated life-threatening uterine infections, removed tumors and ruptured growths, performed drainage surgery for hematomas and infected wounds, and treated ear, skin, and upper respiratory infections
- Accepted hundreds of animals who were brought to PETA's shelter by their loving but sometimes destitute guardians, who were anxious or even desperate to alleviate their animal companions' suffering via euthanasia, a compassionate service provided by PETA that most other shelters do not provide (Many of these citizens were referred to PETA by other local animal

shelters—some of which have policies rejecting euthanasia candidates—law-enforcement agencies, and even veterinary clinics.)

- Accepted 249 feral cats from Portsmouth citizens who were referred to PETA by the Portsmouth Police Department via an answering-machine outgoing message that says: "If you have a complaint about nuisance feral cats, you can call PETA at 622-7382," which was implemented following a policy change at the Portsmouth Humane Society (PHS)—see the *Virginian-Pilot* article dated October 11, 2013, "[Portsmouth Animal Shelter Fires Director, Bans Feral Cats](#)," which quoted then-president of the PHS board of directors Rebecca Barclay as saying that PHS was never equipped to handle and never should have accepted feral cats "[b]ecause feral cats are unadoptable."
- Reunited 21 lost animals with their owners
- Added a third state-of-the-art surgical unit to our fleet of mobile spay/neuter clinics, which traveled more than 26,000 miles to assist animals in more than 90 cities, from Emporia to Suffolk to Gloucester to Danville (where we sterilized 120 animals in just two days for the Danville Area Humane Society)
- Held a spay-a-thon during which our veterinarians sterilized more than 400 animals in just over 24 hours
- Sterilized 10,950 dogs and cats, including 851 pit bulls and 584 feral cats, all at no or low cost to the public, and celebrated our 110,000<sup>th</sup> sterilization surgery since the service began
- Transported more than 600 dogs and cats to and from our clinics free of charge for people who had no transportation

More information about PETA's animal-sheltering work can be seen in this video: <https://www.youtube.com/watch?v=u3AxNgrU51o&x-yt-cl=85114404&x-yt-ts=1422579428>.

We appreciate VDACS' thorough review of this regrettable incident and of our work over the years. Thank you.

Yours truly,



Ingrid E. Newkirk  
President, PETA