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January 30, 2013

Hon. Randy Fisher, Chairman  
 House Agriculture, Livestock & Natural Resources Committee  
 Colorado State Capitol  
 200 East Colfax  
 Denver, CO 80203

*Re: Opposition to House Bill 1125*

Dear Representative Fisher and Members of the Committee:

The American Society for the Prevention of Cruelty to Animals (ASPCA), on behalf of 35,000 Colorado members, opposes the passage of legislation which would require law enforcement and animal control officers to treat livestock differently from other animals by only allowing the animal to be taken when a veterinarian determines that the animal is "near death."

Founded in 1866, the ASPCA was the first humane organization in the Western Hemisphere. Our mission, as stated by founder Henry Bergh, is "to provide effective means for the prevention of cruelty to animals throughout the United States." The ASPCA works to rescue animals from abuse, pass humane laws and share resources with shelters nationwide.

HB 1125 would essentially statutorily authorize the abuse of some animals while saying that that same level of suffering is illegal for other animals. This bill increases the likelihood more animals will die or suffer because no one can expect a veterinarian with a practice to be available on a moment's notice.

The bill also creates a new restriction on local authority. Colorado and county laws currently allow sheriffs to operate under their own authority to uphold the law without requiring sign-off by other professionals. This bill is akin to requiring sheriffs to get a doctor's confirmation of blood alcohol levels to arrest someone for a DUI rather than allowing a Breathalyzer to determine probable cause. Also, if animal control officers or law enforcement were to execute a search warrant to confiscate a dog at a residence and observe livestock that is suffering, under this bill, the agency would be unable to seize the animal.

This bill creates a larger financial burden on cities and counties that would now have to hire and pay the veterinarians to authorize seizure. The bill presumes that veterinarians are willing, and trained to make such determinations for livestock.

Colorado should maintain its current high standards for addressing the neglect and cruelty of all animals by rejecting this bill.

Please feel free to contact me if you have any additional questions. I'm available at [deborah.foote@aspca.org](mailto:deborah.foote@aspca.org) and 720.219.0782.

Respectfully yours,

Deborah L. Foote  
 State Legislative Director

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