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SB1405 Pending in California Assembly Judiciary Committee

by Hal M. Koontz, Legislative Liaison
Bakersfield, California

SB 1405 authorizes humane officers, at all places within California, "to interfere to prevent the perpetration of any act of cruelty upon any dumb animal" and specifically states that humane officers "shall have access to all places within the state, including . . . any place where animals are maintained for commercial, educational, or scientific purposes, for the purpose of ensuring compliance with all applicable state and federal laws." Humane officers are private citizens recommended for the position by a humane organization. They are not government employees and yet they would have under SB 1405 greater powers than a policeman. They are authorized to issue citations, make arrests and enter private property at any time without a warrant or probable cause to snoop for potential violations.

The AFA views SB 1405 as a potential threat to California AFA members. The AFA has written a letter in opposition to SB 1405 and plans to appear and testify when the bill is heard. The bill has already passed the Senate and is now in the Assembly Judiciary Committee. AFA's opposition is based on the following arguments:

1. "Cruelty" is not defined anywhere in the law. Since opinions will differ about what constitutes cruelty, humane officers will be acting subjectively rather than under objective criteria.

2. Humane officers are not required to have any special training before they are appointed. It will be impossible for humane officers to intelligently pass judgment on avicultural practices since they vary so much from species to species and are undetermined in many species.

3. Humane organizations appear to have a built-in bias against keeping animals in captivity. It is likely that this bias will color a humane officer's

judgment and he will believe something is cruel or inhumane where an average person would not think so.

4. Humane officers can easily abuse the power given to them. Because they are not accountable to the government or anyone else for their actions, there is nothing to stop them from harrasing an individual. Furthermore, it is easy to become a humane officer. If you cannot find a humane organization to recommend you, you can form your own humane organization and recommend yourself.

5. The power of humane officers to enter onto private property without notice, without a search warrant and without probable cause is an unconstitutional deprival of the individual's right to due process of law. Law enforcement officials do not have this power.

6. The presence of an unfamiliar person or an inspection at dusk may disturb the birds and cause them to abandon eggs or young in certain species.

If you live in California and your assemblyman is on the Assembly Judiciary Committee, it would be helpful if you wrote to your assemblyman and expressed your views. The assemblymen on the Assembly Judiciary Committee are Harris, Grisham, Connelly, Duffy, Felando, Johnston, Mojonier, Robinson, Maxine Waters and Wyman. If you are going to write a letter, please do it by the middle of March. The AFA is not urging a general letter writing campaign to all assemblymen at this time. Should that become necessary, you will be notified of it through your club delegate. Please be ready and willing to write a letter if notified. If you want a copy of the bill or wish to send me a copy of your letter to your assemblyman, you can write me at 2604 Auburn Court, Bakersfield, California 93306 or call me at (805) 323-2841. ●

Feather Way



WANTED MACAW AND PARROT FEATHERS

We are buying moulted feathers from all Macaws (ARA Spp.) and from smaller Psittacines. We are interested in buying from you on a short or long term basis and are prepared to buy in any quantity you can provide. We have a substitute feather distribution program in operation, which supplies the much needed feathers to Indian tribes within the U.S.

The many breeders and bird owners that supply us have found it usually takes as much effort to throw away the feathers as it does to put them aside and conveniently sell them to us. We buy feathers from the Amazons to the Macaws.

Large Macaw Species - Center Tail Feathers \$1.25 to \$10.00 each
Secondary Tail Feathers \$.25 to \$ 7.00 each
Amazon Parrot - Wing and Tail Feathers \$.15 to \$.20 each

I would like to express my thanks to our current suppliers. You and other aviculturists across the U.S. are the only source we have for the various Psittacine feathers needed.

Our methods of collection are unique and necessarily limited to moulted feathers from the captive populations in this country. Our distribution program is designed to flood the Indian feather markets with this material. With your help this program will destroy the price structure in the U.S. which partially supports the international slaughter of Macaws and parrots, for their feathers. Hopefully, it will also reduce the killing of indigenous species as well because the "preferred" feathers will be more readily available.

Very little would be accomplished in the way of providing a unique item for some very worthwhile and timely projects, without your support and consideration . . . We need your help.

For those of you who would be interested in selling or donating feathers to our program, or would like to know more, just send us a short note and additional information will be sent to you regarding mailing feathers, processing at this end and how payments are made. Please address inquiries to:

Kevin Schneider
Vice-President of the Macaw Society
14292 Jennings Vista Way
Lakeside, California 92040
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