

## AKC 2014 Legislative Conference

### Political Participation And Success: Mike Williams, AKC Federal Affairs Advisor & Advocate:

Mike's job is to monitor the US Congress and the US Senate. Federal issues include Animal Welfare Act and the APHIS (retail pet store) regulations which interpret the AWA. Federal legislation concerns for us are the PUPS bill and the Farm bill. The PUPS bill had been gaining co sponsors year by year. Many of these withdrew their sponsorship after they were visited one by one and were shown the overall impact of this bill, so the number of co sponsors has gone down recently.

Much of Mike's talk was about how Federal advocacy works: by developing messaging – sending fact sheets on our issues and corresponding with “influencers”. As an aside, Mike spoke of various elected officials who should be AKC Advocates who have been supporting agendas which are contrary to the sport of purebred dogs who are influenced by staff and family. If they can be reached, their views may be brought back to “our” side. First it is important to identify policymakers and AKC advocates, among whom would be the US House Agriculture Committee and the US Senate Agriculture Committee. Politicians who are dog owners should be natural friends of AKC.

Once identified, legislators who have demonstrated a grasp of our issues and a willingness to work with us are featured in the AKC Publication “In Session” which is sent to members of congress quarterly. Politicians like to be celebrated.

It is important that the grassroots efforts continue and grow. Members and clubs should communicate with the local offices of their congressional members.

Under the topic of “Grasstops” come the following suggestions: Invite legislators to canine events. If a breeder has a nicely run, nicely maintained hobby kennel, we should invite our elected officials to tour and to meet the responsible, ethical, caring breeders. Invite them to meet in their district with local dog club leaders. Get familiar with the policy person in your district. Staffers generally have the ear of their bosses. Have a voter registration booth at dog events. In this way we ensure that people of our like mind are actually registered to vote. Some clubs invite the League of Women Voters in to run the booth or table.

Letters to the editor about an issue, editorials that are published in the paper about an issue when the legislator's name is used will make their way back to the legislator by the next day. We have influence.

We need to broaden our reach. The AKC “brand” is our biggest strength, which is why HSUS and other AR groups are trying to tear this down.

All Politics are local but initiatives or policy positions supported at any level of government can have wide ranging implications, so we need to ensure that we are consistent in decisions made about policy and messaging. He also discussed the integrity of policy and messaging:

- Stick to the Facts
- Passion is good but do not be emotional
- Recognize that the positions you take on a local or state level will likely have national implications
- The opposition is always watching

Mike reminded us, as did every speaker, that it is important to get to know your legislator before there is a problem. **Before there is an “ask”.**

## Advocacy 101 : Engaging Members In Effective Networking and Advocacy: Jennifer Clark and Sarah Sprouse

Jen and Sarah began with the AKC Mission statement: "...To protect the rights of all dog owners and promote responsible dog ownership"

Origins of Canine Legislation: Legislators see a problem and want to fix it. They get pressure from the community or others to find a solution. It is our job to evaluate the solution correctly if it gets that far and to point out inadequacies in the solution.

Community Activism: Reach out to Legislators before there is an "ask". (sound familiar? We'll see that advice again). Another way we can begin to take control of our own is to keep our eyes and ears open. The AKC has a very good legislative tracking system for the State level and above. AKC cannot track local town, city, county initiatives unless they are made aware of them. We of the fancy need to report what we see and hear to AKC Government Relations.

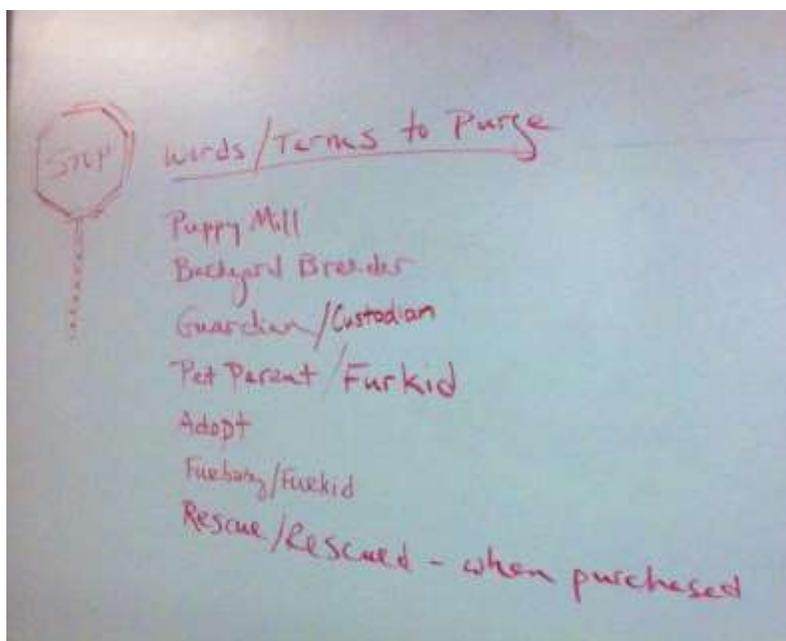
One of our greatest powers is the power to vote. Legislators in our districts can check the voter rolls and see if we have voted on a regular basis. They cannot tell how we voted, just that we used our right to vote and did so. This is important to them. So, vote. Get to know the dates of all elections, all of them- school board budget votes, other local votes that take place throughout the year. The Board of Elections in your area will give a packet to an individual or a club wanting to hold a voter drive.

When you meet with your legislator, even if you are speaking to a staffer, tell your story.

If you are attending or putting on a lobby/legislator education day, schedule meetings in advance and know the ethics rules. This event can be a breakfast or some other reception.

When running a Public Education day, it is useful to have bios of the dogs that will be present.

**Support fellow breeders and dog owners.** We are all in this together. During a tour of the AKC offices, we saw this bulletin board. Instead of Puppy Mill, use "substandard kennel" for example. Do not vilify "backyard breeder" – use "hobby breeder" or ask for a definition from the person to whom you are speaking. "Adopt" and "Rescue" are also words that have become fashionable --- even when a dog is purchased. We must remind our puppy buyers that their puppies are their property and not their fur babies. In terms of Parent Club "Rescue", there is a move to try to use the term "Rehome". AKC is developing a glossary that moves us back to the reality of dogs as our property. This discussion went on for awhile because it is important to get our legislators to define terms they use in their proposals. Legal definitions.



## **Tales from the Trenches - Federation Building: Michelle Kasten, Illinois Federation of Dog Club and Owners (IFDCO)**

Without dog owners, there is no need for breeders. This a reminder sent out even when sending out membership renewal notices.

This organization was formed in response to a bad breeder bill in Illinois. The aim was to represent all dog owners, and to make the Federation known as the dog experts to legislators, the public and the media. They make it known that among the members of the Federation, they represent 54,000 YEARS in dogs... so experience does count. In their second year, IFDCO proposed a microchip law, which would require shelters and rescues to scan for a microchip on a dog or cat brought in within 24 hours and then scan again prior to adoption, moving or euthanasia. This measure passed in 2011. This passed easily, with some minor opposition from shelters.

When looking for a lobbyist for the Federation, it was important to find one with a background that fits well with the needs of a primarily purebred dog organization, and then to educate this lobbyist. Funding the lobbyist comes from Federation dues, from per entry donations at dog shows (a dollar per entry would be nice, but even 25 cents can be effective), raffles, corporate sponsors as long as these corporate sponsors have ethics in line with that of the Federation.

Participation by Members: it is important to keep members involved \*when\* they can be effective. Informal outreach to members' legislators and staffers, offering expertise to same. Never miss an opportunity to educate. Remind members of WHY we do this.

IFDCO has also presented "Legislator of the Year" awards over the years. One year, a proclamation scroll was delivered by a well trained member's dog, another year the award was a rosette in a shadow box (a recurring theme- that rosette in shadow box awarded to good legislators).

## **Federation Building: Jeffrey Ball, NJ Federation of Dog Clubs:**

NJFDC was established in the 1960's. It was essential to revisit it's purpose and focus. Jeff is very active in his own community, has had his local all breed club sponsor Responsible Dog Owner Days and free microchip clinics for residents of his town. His club has donated microchip scanners to shelters and law enforcement (these came from AKC ReUnite as did the microchips). They invited a local veterinarian to help with the free clinic... when he turned them down, their alternate choice was pleased to accommodate. This is an opportunity to educate the public about responsible dog ownership

## **Using Technical Language to Your Advantage, Phil Guidry, AKC Senior Policy Analyst:**

Phil began with asking the question "What does an analyst do?". The answers :

- Focus on content, context and legislative intent
- Provide reasoned guidance regarding the potential legal and political impact of proposed legislation or regulation on AKC and the purebred dog community

There was some discussion on the difference between Torts/Negligence and Crimes. Some more on what to do if a bad bill is passed

## Taking Back the Conversation: Sarah Longwell of Berman & Co. (Humanewatch)

Sarah began by talking about “shooting the messenger”, about targeting MADD, unions, food cops, HSUS. HSUS feeds off of perceived “moral authority”. We must remove that “moral authority” in order to *take back the conversation*.

Sarah spoke about “moving the goalposts” : HSUS “wakes up” every day with plans to push their agenda just a little bit further. Humanewatch addresses issues in the following ways:

- Go on Offense, *because defense over time loses*.
- Original Research is the Key... Humanewatch tracks everything Wayne Pacelle says
- Use Humor – Sarah cited the “Lawyers in Cages” parody of the HSUS fundraising commercials
- Beat Them With Facts
- Point to Excesses and use Their Own Words against them
- Use Credible Messengers, use celebrities- Sarah used as an example another campaign from Berman about food cops--- this was a salad line with the “soup nazi” (who can forget the soup nazi made famous on Seinfeld?)
- Be Memorable
- Use Edgy Messaging to Drive Earned Media- how to get reporters to cover our story? This is difficult because Wayne Pacelle will call any reporter to criticize him or her if their coverage is positive for Humanewatch and negative for HSUS.
- Be Bold – always have the courage of our convictions
- Share Facts- facebook as an example of sharing messaging from Humanewatch

*Q: What about the connection between ASPCA and HSUS?*

A: ASPCA and HSUS have stated that they are partners. This is likely to take the heat off the arguments that HSUS does not support shelters. The common employee is Nancy Perry, formerly of HSUS and now at ASPCA. Humanewatch is working to find the salaries of the HSUS directors in each state. This can be accomplished by searching on Guidestar, or checking the want ads for HSUS jobs.

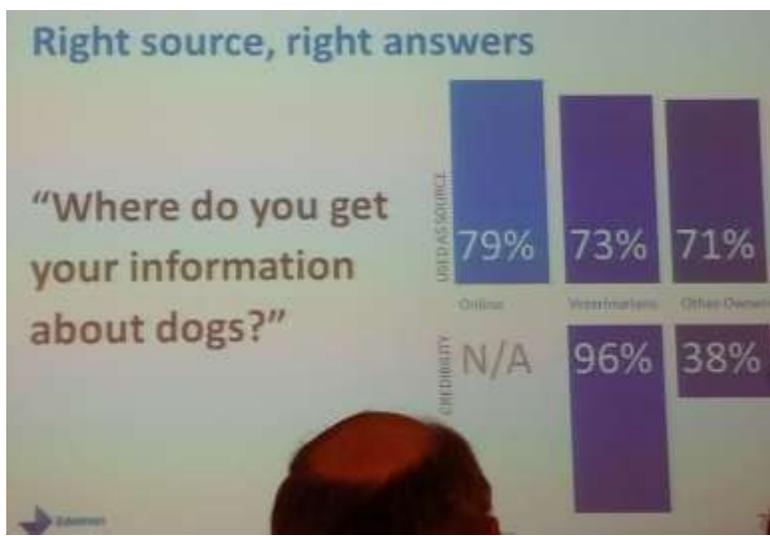
*Q: How do we disprove something stated by HSUS and supporters that is not true?*

A: Change the conversation. They are trying to force us to debate on their terms. Sarah used the phrase “Satisfy and Steer” quick answer – or not, but steer the conversation towards the correct information.

## Media Training for Dog Advocates: Bill McIntyre of Edelman

Bill began with the issue of **credibility**. He shared the results of a recent survey. Photo of his slide to the right here. Veterinarians have 96% credibility when giving advice and speaking on an issue and breeders and other owners have 42% (the breeders info on another slide not photographed). So when dealing with the media, bring a Veterinarian along with you.

Important to know: if a reporter called you about an issue, an opponent is driving the story.



How to prepare for an interview? Bill shared a clip from the Bob Newhardt show where he was being interviewed on live TV. It was a disaster because he was lulled into a false sense of security by the interviewer.

#### **Formula for Success in an Interview:**

- Promote your message
- Respond to Opposition Attacks
- **Put Critics on the Defensive**

#### **Do's and Don'ts :**

- Stick to your talking points – STAY ON TARGET
- Tell the truth
- Assume everything is on the record
- Correct mistakes, including your own – this is best done during the interview
- Be brief. The average quote- or sound bite- on the radio these days is 3 to 7 seconds
- Back up comments with facts. Bring supporting data on a fact sheet that can be given to the interviewer
- Don't lie
- Don't attempt humor
- Don't pick a fight
- Don't fidget, ramble
- Don't use negative words or jargon

#### **The Three P's**

- Prepare for the interview. Establish objectives- write them down
- Practice for the interview. Anticipate negative questions, hone your messages
- Perform. Stay on message

### **Owners, Breeders and Vets are the Holy Trinity in our Message**

**Handling News media:** For a reporter, conflict builds a great news story. Again, the 3-7 second limit for a sound bite.

**Storytelling as Message-** by simply telling stories, people can plant ideas.

#### **Talking point preparation**

- develop the story
- use key messages
- promote mission, objectives
- respond to opposition claims
- pressure critics with responses that put them on the defensive
- wrap it all in a story worth telling
- elicit an emotion with content

**Interview Traps** – Different ways reporters ask questions to get information. Bill described the different methods including

- The “Friendly”,
- The “Angry”, intended to stimulate a dramatic effect,
- The “Repeat”, where the reporter asks the same question over and over only phrased differently
- The “Quote” and
- The “Laundry List” where a series of questions are posed at the same time.

#### **Controlling Interview Traps:**

- The Bump and Run: briefly, benignly answer the question and then move on to your own message
- The Sidestep: pose a different question
- The Stall: “could you please repeat that question?” “could you please rephrase that question?”
- The Vision: provide a list of things you favor
- The Appeal: bypass the interviewer by appealing to a higher authority (example: “is that constitutional?”)

#### **Approaches/ Management of the various media types:**

- Print: use simple declarative sentences, use your notes as needed, speak slowly, clearly
- Radio: practice short sound bites of 3-7 seconds, work from your notes and talking points as needed
- TV/Cable: watch your non verbal communication (facial expressions, where you are looking- look at the interviewer or at the camera) do not fidget
- Social/Digital: this is short form media, it is graphics heavy, linkable, searchable, shareable.
- Taped: keep notes in front of you for the message. Stay “on message” even when it’s over
- Live: Use your interview control tactics (see earlier in this talk) and watch non verbal communication
- Debate: Respect your opponent but promote your message
- Call In: Alert supporters to call in. Speak clearly and deliberately
- Phone: Speak slowly, clearly, use notes and eliminate external distractions- barking dogs etc.
- In Person: Keep it short
- Email: Check before sending
- Office: Choose setting, eliminate distractions, leave informational material with interviewer
- Studio/Newsroom: arrive early, bring notes, bring “leave behind”

**Prepare -----Practice -----Perform**

-----Day 2-----

### **The Latest From AKC GR: Trends, Tools, and Resources: Sheila Goffe**

Misinformation is a common theme in restrictive dog legislation . It is used in BSL, MSN, commercial breeding defined by ownership, not commerce, ownership limits, one size fits all care standards and poor or ambiguous definitions (such as the current APHIS regulations). All this on just Sheila’s first slide!

Discussion on this began with retail pet sales, where APHIS regulations define the type of breeder based on type of sale. This makes the sale transaction that much more important. Local issues include efforts to ban retail pet sales. This needs definition- are they talking about one puppy or brick and mortar pet stores? Our question needs to be why do we want to regulate these sales? Pet stores are a valid source of purebred puppies. Before we all snort our coffee through our noses, please be aware that (responsible, ethical, caring) breeders of purebred dogs do not and cannot provide enough pets for the demand. For more on this, Patti Strand's talk encompasses humane relocation – or more – in the effort to meet demand for pets. More on that later.

Another trend is the incremental reduction of ownership rights. This is being attempted in Connecticut and Pennsylvania. CT will provide advocates for animals. We oppose this because this gives animals “rights”. Veterinarians oppose this for the same reason. Our pets are our property, not family members.

Exemptions: These are an okay tool to use if it looks as though a bad bill is going to go through. Ideally the exemptions negotiated will respect hobby breeders. However, sometimes this makes it appear that some dogs are more “equal” than others.

AKC Government Relations Resources:

- Personalized Assistance, which includes bill/ordinance analysis, specialized data and talking points, contacting legislators and their staff, educational outreach and presentations (including a few downloadable powerpoint presentations useful for club meetings and education, and awards to legislators and groups.
- Government Relations toolbox: position statements, supporting data, letter templates by issue – for legislators and for media (letters to the editor, etc.), policy briefs, issue analysis and talking points.
- AKC PAC (Political Action Committee): this supports candidates who support us. Contributions to the PAC can be made by individuals, not clubs.
- New Resources and Tools for Outreach: “Legislator of the Year”, Dog Friendly Community Award which honors an entire community or community leader. Although this award goes through AKC GR, it belongs to the club granting the award. Applications for this award are not available online, you must call AKC GR to discuss. CLSF (canine legislative support fund) educational grants are new. These are available to clubs (up to 12) which do not have the resources to put on Responsible Dog Owner Days or Lobby Days.

### **Canine Litigation: Margaret Poindexter, Vice President and General Counsel, AKC**

There are few occasions within AKC for litigation that we elect to enter. The advice is not to litigate unless necessary. This advice parallels advice to legislators, where often legislation on a dog related issue is not the answer. Litigation is risky and expensive, and should only be used as a last resort, last resource. Principles should drive the decision to litigate. Principle, precedent, constitutional rights- these cases are very rare.

AKC becomes proactive most often in appellate litigation, for example in cases of policy application, where we already have a policy statement, or if we want to join another organization that shares our values, such as NAIA, AVMA, etc. See below.

Ms Poindexter discussed the [Strickland vs Medlen](#) non economic damage case in Texas last year, where AKC joined the AVMA and the TVMA and others to ensure that pets continue to be regarded as property. In this case, the lower courts allowed an award for loss of companionship. This represented a split in authority as animals are property in Texas. This was brought all the way to the Texas Supreme Court, which cited the AKC brief stating that pets are property. This decision and AKC's support of it brings AKC closer to AVMA.

*"The Medlens' dog Avery escaped the family's backyard and was picked up by animal control. Before the Medlens could retrieve Avery, shelter worker Carla Strickland mistakenly placed Avery on the euthanasia list, and Avery was put to sleep. The Medlens sued Strickland for causing Avery's death and sought damages for Avery's "intrinsic value." The trial court dismissed the suit with prejudice, concluding that Texas law barred such damages. The court of appeals reversed, becoming the first Texas court to hold that a dog owner may recover intangible loss-of-companionship damages in the form of intrinsic or sentimental-value property damages. At issue before the Supreme Court was whether emotional-injury damages were recoverable for the negligent destruction of a dog. The Supreme Court reversed, holding that under established legal doctrine, recovery in pet-death cases is, barring legislative reclassification, limited to "loss of value, not loss of relationship."*

"Supporting Strickland (and thus opposing emotional-injury damages) are the Texas Municipal League, the 60 Texas City Attorneys Association, and the City of Arlington, Texas (collectively "Municipal Amici"); the American Kennel Club, Cat Fanciers' Association, Animal Health Institute, American Veterinary Medical Association, National Animal Interest Alliance, American Pet Products Association, and Pet Industry Joint Advisory Council (collectively "AKC"); the Texas Veterinary Medical Association (TVMA); the Texas Civil Justice League (TCJL); and the Property Casualty Insurers Association of America, American Insurance Association, and National Association of Mutual Insurance Companies (collectively "Insurer Amici")."

Ms Poindexter also discussed [another case](#) in which AKC joined other like minded organizations when it aided the AQHA (American Quarter Horse Association) a registry which was being sued for following it's own registry rules. This was the case of a cloned Quarter Horse denied registry by AQHA. The person trying to register the animal sued AQHA on anti trust grounds. This case is currently on appeal.

Ms Poindexter was a lawyer for the Federal government for 15 years. After many entertaining stories about her brilliant successes in this position, she admitted that she may not have been so brilliant but that the government almost always wins. So when the calls were coming in about suing about the USDA/APHIS regulations, Margaret conferred with Sheila and outside counsel. AKC was advised that this was "not a hill we want to die on". She cited the four pronged test:

1. Likelihood that we will prevail on the merits- this would be difficult to demonstrate right out of the box
2. Likelihood that we will be irreparably harmed without the stay
3. Prospect that others will be harmed
4. (and last but not least) Overriding public interest in the stay – in this case, the government IS the public

About the merits- must demonstrate that the rule is arbitrary, capricious, contrary to the constitution. The agency (USDA) only needs to have established a rational connection between facts and ...

So at this time, the AKC does not plan to litigate regarding the USDA/APHIS regulations.

On another note, Columbia media in Raleigh has begun a year long campaign highlighting responsible dog ownership and has established a relationship with AKC. See [www.gooddogownerNC.com](http://www.gooddogownerNC.com)

## Humane Relocation and the Animal Rights Movement: Patti Strand

Patti began with a review of what Animal rights organizations are: they are fundraising agencies. They make no product, they provide no services. They identify and exploit problems to raise money.

There was a long discussion of how many dogs are needed to meet the demand for dogs, how few dogs are being produced by breeders in the fancy, how many dogs are relocated from one shelter to another, and how many dogs are imported from other countries. This is also covered in [this article](#) on the NAIA site. As an example, it is estimated that 14,000 dogs per year are imported by Sato from Puerto Rico to the New England states to meet demand for shelter dogs. Humane relocation is big business. It saturates the market with shelter dogs who bring with them diseases unseen in this country or previously believed eradicated, like canine rabies. Most of Patti's talk is explained by the following slides:

### Reproductive Status of US Dogs

- 76-87% neutered according to 2008 APPA study;
- Most shelters neuter dogs before adoption;
- Most hobby breeders sell all but their own show and breeding stock on spay/neuter contracts;

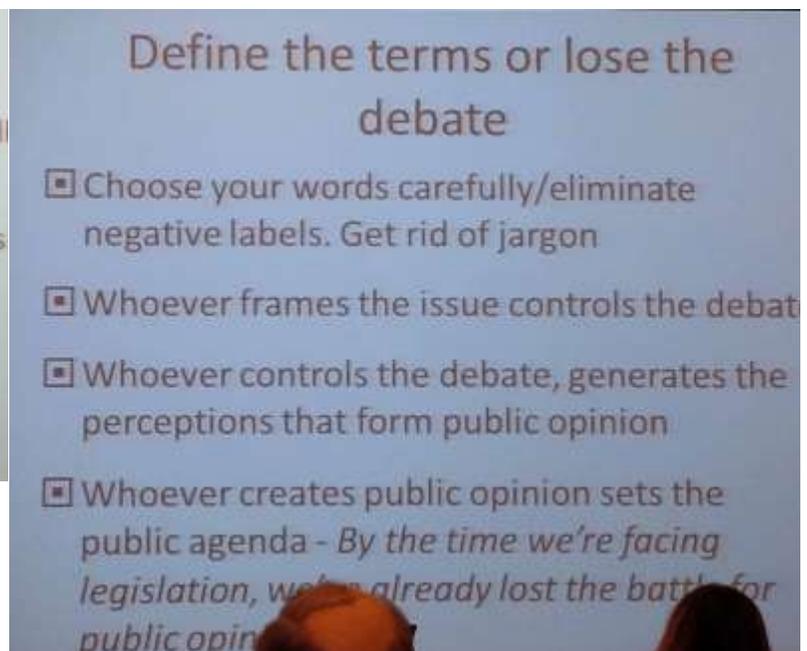
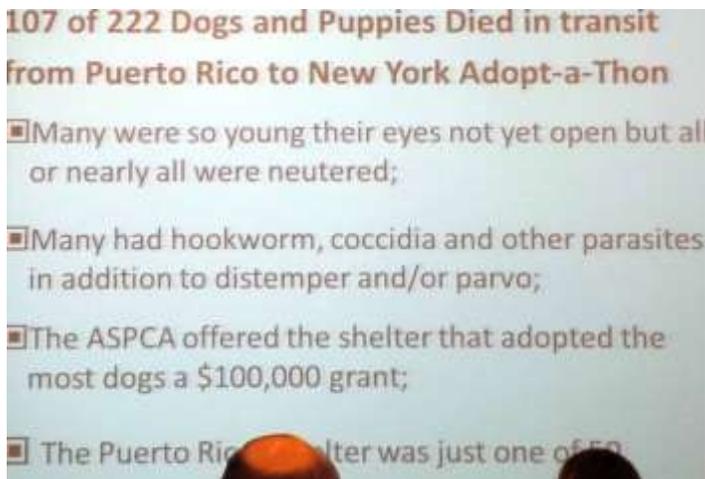
- ↓ Dogs produced by US dog breeders, hobby, casual and commercial – decreasing
- So-called designer dogs – even or increasing.
- ↑ International pet sellers, legal and illegal – increasing
  - ↑ CDC reports that more than 300,000 dogs were imported into US in 2006
  - ↑ US Customs and Border Patrol sting operations suggest that nearly 200,000 dogs were transported across Mexican border into US in 2006.

### Money

- ▣ Dog suppliers in developing countries charge for the dogs they round up for transport;
- ▣ Rescues receive payment for individual dogs and/or for transport if serving as middlemen;
- ▣ Shelters charge adoption fees;
- ▣ National animal organizations use humane relocation as a fundraising issue; and
- ▣ Pet supply stores benefit from hosting adoption

### Shelter Fees

- Puppies \$395 - \$450
- Teens (5 - 10 months) \$295 - \$400
- Small dogs \$295 - \$400
- Large dogs \$250 - \$350
- Surplus of \$439,569 over expenses in 2009
- \$158,000 - \$180,000 in Puerto Rican imports alone
- Also import puppies from within USA "Puppies Across America"



### **The Breeder as Advocate: Pat Hastings**

Pat began her talk with a quote from Temple Grandin: “ Do the right thing and then tell the public about it”. She then went on to observe that in this sport, we only preach to the choir. She suggested that we need a clearing house of dog information and pointed out how we have failed in public relations.

Pat was the second or third speaker to mention that we all need to stick together in this sport, it is our responsibility to support each other.

### **A Legislator’s Perspective on Animal Rights: Rep Tara Sad, NH**

We are in this game with agriculture as well. Attempts to change laws regarding dog houses gestation crates, veal pens, battery cages. Farmers are fighting the same opponents as we are.

Rep. Sad spoke of the Ag Gag bill: there are new laws proposed to prevent people from gaining access to private property under false pretenses for the purpose of “documenting” perceived animal abuse. This bill had to be tabled because of push back from animal activists... the problem is that these people would get access to a facility and videotape ongoing abuse (and it is often unclear who is the perpetrator – my own observations) instead of stopping it.

### **Rep Jan Gardner, NH**

Jan did not run as a dog candidate. One of the ways used to get a candidate known is to have people who are friends or business acquaintances write letters to the editor in local papers or editorials. This builds a support base. A great deal of what Jan spoke of was that anyone can run for office, can get involved.