

Pet Peeves

By Reg P. Wydeven
June 30, 2007

Last month, we welcomed a new member to our family. My sister-in-law's family got a Yorkshire Terrier they named Champ. Everybody loves him, even if our son's allergies prevent him from petting "Champy". Because his legs are so short, he can't keep up on family walks, so he gets spoiled and is toted around like a celebrity's toy dog.

While Champy is treated like royalty, not all pets are quite as lucky. Atlanta Falcons quarterback Michael Vick is currently under investigation for allegedly harboring and fighting pitbulls on his property in Virginia. Vick's alleged animal cruelty is just one horror story to recently emerge from the South.

The Louisiana attorney general's office is investigating claims of cruelty to dogs by sheriff's deputies in, ironically, St. Bernard's Parish in Louisiana in the wake of Hurricane Katrina. Allegedly, the deputies shot dozens of dogs belonging to evacuating residents. Evacuees were allegedly threatened, sometimes at gunpoint, to leave the dogs behind as the deputies retrieved them from their rooftops.

One evacuee claims that as they were being led away, a deputy could be overheard as saying, "once everybody's gone, we're going to have target practice tonight." Lawyers for a group of dog owners are filing a comprehensive complaint in federal court in Louisiana seeking class action status for their clients' lawsuit.

Two deputies have already been indicted by a grand jury in New Orleans on charges of felony, aggravated cruelty to animals. The St. Bernard Parish sheriff's office has also launched an internal investigation into the animal cruelty charges.

The dogs were purportedly taken to three school evacuation centers, where hundreds of gun shells and pellets were found, along with scores of bullet holes in the walls. Some of the deputies admitted to euthanizing the dogs, claiming it was the only humane alternative to allowing them to starve or drown.

Meanwhile, in Florida, the Humane Society is asking a judge to certify a class action lawsuit involving as many as 100 unsuspecting pet owners against Wizard of Claws, a Florida pet store. The Humane Society is claiming the store sells defective and ill, mill-bred puppies.

Although the Humane Society has long championed the protection of animals, this would be the first class action lawsuit in the organization's 53-year history. After receiving many complaints about Wizard of Claws, the Humane Society began investigating the store that boasts of celebrity clientele, such as Sharon and Kelly Osbourne.

The goal of the suit is to give more bite to laws designed to protect pet owners from purchasing sick puppies and ensuring they are reimbursed for any veterinary bills. Under these "puppy lemon laws," as they are commonly called, some states even allow owners the opportunity to receive replacement puppies.

These laws are typically designed to target puppy mills, or "factorylike facilities" that mass produce puppies, oftentimes in overcrowded conditions with insufficient vet care and food. According to the American Society for the Prevention of Cruelty to Animals, puppies born in these mills, that are then sold in pet stores, commonly have ailments such as meningitis and similar diseases. Because mill-bred puppies are typically inbred, genetic defects are difficult to eradicate.

And even though I'm sure that Champy's little legs are defectively short, my sister-in-law assures me he was acquired from a reputable breeder.

This article originally appeared in the Appleton Post-Crescent newspaper and is reprinted with the permission of Gannett Co., Inc. © 2007 McCarty Law LLP. All rights reserved.