THE HSUS SHELTER ADVOCATE TOOLKIT

All Shelters Are Not Alike – The Important Differences That Can Affect the Mission

Not all sheltering organizations are the same. The distinctions between them affect every aspect of their operations, from how they acquire their operating funds, to what types of animals they handle, to who has authority to change policies. As such, your strategy for making change in a particular shelter must be tailored to the type of organization involved. Sheltering organizations typically fall into one of the following categories:

- Municipally (governmentally) operated: Most municipalities are required by law to have some form of "animal control", typically a branch of government charged with enforcing animal laws. As such, these agencies often serve a dual, and sometimes contradictory mission, protecting animals from abuses and protecting the human public from risks posed by animals. Most often these facilities are funded exclusively by tax dollars, and may actually be prohibited from engaging in fundraising activities. They tend to be a frequent target for budget cuts, particularly when government decision makers are faced with cutting other equally vital services like police, ambulance and fire services. This lack of funding can severely limit the programs and initiatives municipal organizations can undertake, although many do remarkable work with very small budgets! Most are legally required to take in all stray dogs regardless of their health, temperament or age (since rabies is commonly seen as the most pressing public health concern relating to companion animals), and many voluntarily expand their operations to accept surrendered pets, cats and other types of animals in need. Municipal shelters can fall under any branch of local government authority, from police services to the health department, and are ultimately accountable to elected officials and the citizenry. Complaints about municipal organizations should generally be directed to the head of the agency and his/her superiors (for example, if animal control is located within the police department the director may report to a Chief of Police, who in turn reports to the County Administrator), but ultimately the elected officials of the municipality (City Council, County Board of Supervisors, etc.) have the ability to investigate and demand changes.
- Privately owned and operated: Many private shelters have the words "humane society" or "SPCA" in their name, but this does not imply any affiliation with a national organization like The HSUS – each organization is independently operated and establishes its own policies and procedures. Private organizations are generally run by an Executive Director, who reports to a Board of Directors. They are free to establish their own mission, policies and directives, and are not required to act in the interests and desires of the public at large (except for the requirement that they use donated funds lawfully and responsibly based on their IRS 501(c)(3) not-for-profit status). However, because private organizations are so heavily dependent on donor dollars to fund their programs and initiatives, they usually have a strong desire to maintain the good will of their community.

- <u>Private with a municipal contract(s)</u>: Some private agencies take on responsibility for animal control (law enforcement) functions or handle sheltering for a municipal animal control department by contracting with one or more municipalities. These shelters have many of the advantages of private operations (e.g., ability to fundraise and to establish their own mission), but they also have accountability to the public because of their contractual obligations. Therefore, while complaints and concerns about these facilities are still addressed by the Board of Directors, elected officials with whom they contract may also have some influence over their operations.
- <u>Rescue/Sanctuary</u>: Rescue and sanctuary organizations come in all shapes and sizes, from organizations with a brick-and-mortar shelter buildings to foster-based organizations, from groups that provide medical care to animals in crisis to groups whose primary mission is transport of animals, from one-person-operations to groups with large cadres of volunteers. These groups typically have not-for-profit 501(c)(3) status with the IRS and must follow laws applicable to other non-profit corporations, but they are free to establish virtually any operational model they choose.

There is no one structure that is recommended for every community, as each has advantages and disadvantages. Most humane communities have a combination of all of these sheltering models that complement each other and ensure that a safe haven exists for every animal in need.

<u>What's in a Name</u>?

Labels like "open access," "limited access," "high kill," "no kill," etc., do not always tell the story of whether a shelter is humane. There are no definitive definitions for any of these terms, and no rules for how organizations choose to label themselves. "Open admission" typically means the shelter takes in any animal in need, including very elderly, ill, aggressive, or injured animals that may not be able to be rehomed. Frequently these are municipal animal control agencies, although many private organizations also choose not to turn away any animal in need. "Limited admission" shelters usually accept only selected animals that they feel they maximize their organization's unique skills – some focus on only highly adoptable animals that they can rehome quickly, while others might concentrate on special needs animals that their local open admission shelter doesn't have the resources to care for. These are usually private shelters. Most people assume that "no kill" means that no animal accepted by the organization is ever euthanized – in some cases that is true, but there are some "no kill" organizations that still euthanize "unadoptable" animals or send them to an open admission shelter for euthanasia. Confused? That's not surprising! The bottom line is that the public is best served when people look beyond the labels to the actual facilities themselves, and ensure that there is a place for every animal in need within their community and work together to save as many lives as possible. For more perspectives on labels, see:

- "Setting Aside Semantics" by Wayne Pacelle, CEO Humane Society of the United States, November 8, 2007: http://hsus.typepad.com/wayne/2007/11/not-killing-pet.html
- "Our Choice Now" by Robin Starr, CEO Richmond SPCA, Best Friends magazine, November, 2010: http://richmondspca.typepad.com/richmond-spca-blog/2010/11/bestfriendsmag_final_word.html

<u>Who is Responsible for Overseeing Shelters and Rescues</u>?

Many people are surprised to learn that there is actually very little oversight of sheltering organizations. There is no federal law that governs sheltering facilities, and no federally mandated standards of practice. Although some states do have effective operating standards in place (Colorado's Pet Animal Care Facilities Act, (http://www.colorado.gov/cs/Satellite/Agriculture-Main/CDAG/1167928256523, is one good example), many states have virtually no laws concerning shelter operations. Even in states that do provide for facility inspections under the law, the inspecting agencies are often so underfunded that they are not able to provide meaningful oversight. While most private sheltering organizations have an IRS 501(c)(3) designation, that is simply a reflection of their classification as a charitable organization for tax purposes – it is no way a reflection of how humanely the organization operates. And there is no national body that oversees local shelters – The Humane Society of the United States, for example, is not a "parent" agency for any local organization, even those that happen to share a similar name. This freedom from standards and regulations allows for a great deal of innovation on the part of organizations willing to explore new opportunities for helping animals, but it can make forcing improvements at a local facility very challenging indeed.