

TX-RPOA E-News

From RPOA Texas Outreach and
Responsible Pet Owners Alliance
"Animal welfare, not animal 'rights'
and, yes, there is a difference."
Permission granted to crosspost.

March 27, 2009

Please crosspost!

Thanks to Laura Dapkus, Lone Star State American Pit Bull Terrier Club and
Endangered Breed Association, for preparing the Texas Action Alert for HB 1147
below. And Zandra Anderson, www.TexasDogLawyer.com
for her bill analysis and sample letter. With 15 bills to track it takes everyone working
together to keep up with multiple hearings. Please let Laura know if you can attend this
hearing. E-mail: laura@lucydog.com

If you wish to attend, maps of the entire Austin Capitol Complex (8 files) including all
floors and restrooms are on our "RPOA Texas Outreach" website and can be printed
out: www.rpoatexasoutreach.org

under the "Lobby Day" Link.

Otherwise phone, fax and email!

PERMISSION TO CROSS-POST

<http://lsspbcc.com/blog/2009/03/27/652/>

HB1147 is scheduled for a hearing at 8:00 AM, Monday, March 30, 2009 - please call or
fax NOW.

Companion bill is SB 554 which was approved by the Senate committee 7 to 0.

COMMITTEE: House Criminal Jurisprudence (see schedule here)

8:00 AM, Monday, March 30, 2009

PLACE: JHR 120 State Capitol, Austin

Attorney Zandra Anderson has provided the following legal analysis and talking points.

What these bills mean:

HB 1147 & SB 554 (Possession of alleged dog fighting equipment criminalized)

Frost (Criminal Jurisprudence); Whitmire (Criminal Justice)

1. Under this bill it would become a crime to possess dog fighting equipment with the
intent that the equipment be used to train a dog for fighting or is used in the furtherance
of dog fighting. This would become a Class A

misdemeanor punishable by up to one year in jail and up to a \$4000 fine.

2. Dog fighting equipment is defined to include a harness, treadmill, cage, decoy, pen,
house for keeping a fighting dog, feeding apparatus, or training pen.

=====

Sample Letter / Talking Points:

House Criminal Jurisprudence Committee
EXT E2.112
P.O. Box 2910
Austin, TX 78768-2910

RE: OPPOSE HB1147

Dear Chairperson Gallego, Vice Chair Christian and Committee on Criminal Jurisprudence:

SB 554 criminalizes the ownership of items that are common to many dog owners, but especially to those who engage in activities such as hunting, dog sports and dog shows. While I support the prosecution of the crime of dogfighting, the language is vague and will result in people being falsely accused. In the vast majority of dogfighting cases, the dogs are destroyed prior to a trial or even a conviction. Owners who are falsely accused suffer devastating financial and emotional losses and can never get their dogs back.

- a.. All dog owners possess at least some of the equipment in this bill, and many dog owners possess most of the equipment such as a harness, treadmill, cage for a dog, a pen for a dog, feeding apparatus (a dog bowl) and training pens.
- b.. While possession of these items to be a crime is linked to intent to train dogs to fight or in the furtherance of dog fighting, that is very vague. There is no definition of what constitutes intent. How do you prove intent?
- c.. Merely possessing this equipment does not mean that someone has the intent to train a dog to fight or that the equipment is used in the furtherance of dog fighting.
- d.. Because someone has a dog bowl, does this mean they have the intent to fight a dog? This bill would open the door for unfairly prosecuting a person who legitimately owns American Pit Bull Terriers or other similar dogs.
- e.. Legitimate dog trainers of all breeds use treadmills to exercise their dogs particularly when the weather is bad, and in no way indicates training of fighting dogs.
- f.. If a dog fighter is convicted, then the equipment described above can already be seized and forfeited.

Respectfully,

====CONTACT INFO=====

Clerk: Andrew Cates
Phone: (512) 463-0768
EXT E2.112
P.O. Box 2910
Austin, TX 78768-2910

Please phone and/or fax ALL of the members especially if you live in their district. If you live in a member's district, please let him or her know.
Find out who represents YOUR district: <http://www.fyi.legis.state.tx.us/>

Rep. Pete Gallego, Chair

<http://www.house.state.tx.us/members/dist74/welcome.htm>

District: Alpine

Capitol Address

Room 4N.9, Capitol Building

Austin, TX 78701

(512) 463-0566

(512) 236-9408 Fax

Rep. Wayne Christian, Vice Chair

<http://www.house.state.tx.us/members/dist9/welcome.htm>

District: Center

Capitol Office

Room CAP GN.12

P.O. Box 2910

Austin, TX 78768

(512) 463-0556

(512) 463-5896 Fax

(877) 839-2709 Toll Free

Rep. Allen Fletcher

<http://www.house.state.tx.us/members/dist130/fletcher.php>

District: Harris County (Part)

Capitol Office

E2.804, Capitol Extension

P.O. Box 2910

Austin, TX 78768

(512) 463-0661

(512) 463-4130 Fax

Rep. Terri Hodge

<http://www.house.state.tx.us/members/dist100/hodge.php>

District: Dallas

Capitol Address

Room E2.818, Capitol Extension

Austin, TX 78701

(512) 463-0586

(512) 463-8147 Fax

Rep. Carol Kent

<http://www.house.state.tx.us/members/dist102/kent.php>

District: Dallas

Capitol Office
Room E2.814, Capitol Extension
P.O. Box 2910
Austin, TX 78768
(512) 463-0454
(512) 463-1121 Fax

Rep. Robert Miklos
<http://www.house.state.tx.us/members/dist101/miklos.php>
District: Mesquite
Capitol Office
Room E2.816, Capitol Extension
P.O. Box 2910
Austin, TX 78701
(512) 463-0464
(512) 463-9295 Fax

Rep. Joseph E. Moody
<http://www.house.state.tx.us/members/dist78/moody.php>
District: El Paso
Capitol Office
Room EXT E1.208
P.O. Box 2910
Austin, TX 78768
(512) 463-0728
(512) 463-0397 Fax

Rep. Paula Pierson
<http://www.house.state.tx.us/members/dist93/pierson.php>
District: Arlington
Capitol Office
Room EXT E2.210
P.O. Box 2910
Austin, TX 78768
(512) 463-0562
(512) 463-2053 Fax

Rep. Debbie Riddle
<http://www.house.state.tx.us/members/dist150/riddle.php>
District: Houston
Capitol Address
Room E2.306, Capitol Extension
Austin, TX 78701
(512) 463-0572
(512) 463-1908 Fax

Rep. Allen Vaught

<http://www.house.state.tx.us/members/dist107/vaught.php>

District: Dallas

Capitol Address

Room E2.414, Capitol Extension

Austin, TX 78701

(512) 463-0244

(512) 463-9967 Fax

Rep. Hubert Vo

<http://www.house.state.tx.us/members/dist149/vo.php>

District: Houston

Capitol Address

Room E2.208, Capitol Extension

Austin, TX 78701

(512) 463-0568

(512) 463-0548 Fax

RPOA Texas Outreach (501C4 Nonprofit)

www.rpoatexasoutreach.org

Responsible Pet Owners Alliance (501C3 Nonprofit)

www.responsiblepetowners.org

900 NE Loop 410 #311-D

San Antonio, TX 78209

\$15 Annual dues (January - December)

To subscribe or unsubscribe, e-mail rpoa@texas.net.