



Animal Hoarding

What it is and What Can be Done About it

By Emily Gardner, Esq.

Many of us who are animal lovers may have had fleeting dreams of what it might be like to run the zoo, and be the caretaker for dozens or even hundreds of animals. It's always nice to dream, but what happens when people try to make this dream their reality, sometimes with the best of intentions and other times, without really thinking it through?

Animal hoarding is a problem that few recognize as an important community concern, however, animal hoarding continues to affect hundreds of communities across the United States and causes untold suffering to many thousands of animals. An animal hoarder is defined as an individual who accumulates a large number of animals, who fails to provide the animals with adequate food, water, sanitation, and veterinary care, and who is often in denial about the inability to provide adequate care. The hoarder's property is usually unsanitary, often covered with animal waste, trash and even sometimes rotting animal carcasses. Animals may be maintained in cramped quarters with little room to move around. Animal hoarding, whether done with good or bad intentions is cruel.

Dogs and cats are the most popular animals to be hoarded, although other animals such as birds, rabbits, horses, livestock, and even exotic species can be hoarded. Animal hoarding is obviously detrimental to the animals involved. While the general neglect caused by lack of ad-

equated food, water and veterinary care as well as poor sanitation, hoarded animals often suffer from behavioral problems caused by severe and unnatural crowding and a lack of socialization with people and other animals. Because these animals often have health and behavioral problems, they are less likely to be adopted quickly if and when they are seized by authorities. Thus, these animals have a higher risk of being euthanized.

Having to provide care for a large number of unhealthy animals can put a heavy strain on local animal shelters as well as community resources. It may take a team of animal control officers, shelter workers and veterinarians many hours or perhaps even days to seize all of the hoarded animals in a single case. There can be heavy costs involved in providing the seized animals with proper food, shelter and veterinary care, as well as costs associated with clean up of the property and prosecuting the hoarder that often fall on the local government or shelter. While cost to local governments to deal with the situations when they arise, the highest cost is typically borne by the animals. In Hawaii, we have several laws designed to deter and penalize animal hoarders. These include the animal nuisance ordinance, Honolulu Revised Ordinance, § 7-2.5 which currently limits the number of dogs over the age of four months a person can maintain in a residential zone to 10. As of this writing, there is no limit on the number of cats or other animals a person may maintain on a residential property—with the exception of chickens and pea hens, which are restricted to two. Perhaps the county may wish to consider establishing limits on the numbers of other animals permitted, particularly for cats, as they are often victims of hoarding.

On the criminal front, there is the newly fortified animal cruelty law, Hawaii Revised Statute § 711-1108.5, which now makes it a felony offense to intentionally or knowingly

torture an animal. In addition, Hawaii Revised Statutes § 711-1109, makes it a misdemeanor to intentionally, knowingly or recklessly deprive a pet animal of necessary sustenance, care or shelter. There is also Hawaii Revised Statutes § 711-1109.1 which provides county authorities with the right to enter the premises and impound animals where probable cause exists for hoarding activity, as well as Hawaii Revised Statutes § 711-1109.2, permitting forfeiture of an impounded animal prior to prosecution of the owner's criminal charges. Forfeiture, while seemingly harsh, helps reduce the cost burden on the county for housing and caring for animals during the often long pendency of a criminal prosecution. It often allows animals to be placed in new homes sooner.

Animal hoarding is a complex issue to be sure and one that is often not portrayed for what it is—cruel. Public education about animal hoarding is another strategy that may help to prevent it. Press coverage tends to focus on emotional issues and present cases in a manner that evokes sympathy, revulsion or even humor in the reader or viewer. Portraying a hoarder's stories in a sympathetic light can have the undesired effect of eliciting support for the hoarder. Indeed, some hoarders even receive donations or offers of more animals after a flurry of media exposure. Some hoarders may declare themselves to be an animal shelter or sanctuary and may even solicit donations. Hoarding is an activity that should not be rewarded on any level. Hoarding is a crime that must be treated as such if it is to be effectively curtailed, particularly as it is known to have an extremely high rate of recidivism (repeat offenders).

The bottom line: only acquire those animals you know you are able to fully provide for, and don't support (and certainly don't purchase animals from) those who fail to heed this advice.

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