

Trap-Neuter-Return
Developing an Effective Strategy for the
Permanent Reduction of
Feral and Stray Cat Populations in
McHenry County, Illinois

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1 Foreword

“Other priorities (dogs) and a lack of funding have hindered animal-control agencies from addressing free-roaming cats in any systematic manner. What has changed? Nothing. If we are so concerned about zoonotic disease, why not actively do something that reduces the number of free-roaming cats? ... Doing nothing but lamenting free-roaming cats is bad public health policy.”¹

**Gene E. Mueller, DVM, President, Anti-Cruelty Society,
Letter to Editor – Chicago Tribune, Published October 11, 2005**

“You're looking at a program that is admittedly not a quick fix, but is incredibly effective at reducing the numbers, but you've got to let life take its course, and that takes time.”

Nathan Winograd, Nationally Recognized Animal Welfare Expert, as quoted in the Northwest Herald article titled “Claws drawn over feral-cat program”, October 3, 2005

“The ASPCA supports Trap-Neuter-Return (TNR) as the most humane and effective strategy for managing the feral cat population.....”²

American Society for the Prevention of Cruelty to Animals Policy Statement

*“Admittedly, the problem is much bigger than the Feral Cat Coalition, or any other group, can deal with single-handedly. We are, however, actually **doing** something to address the problem. To those who demean our efforts I can only ask: Are you actually contributing to any solution, or are you just complaining that others are not working **fast** enough? You don't have to agree with our methods. I would certainly not expect you to suddenly embrace the feral cat population. I would, however, ask that you not impede our progress in humanely reducing the number of feral cats.”³*

Ray Savage, Feral Cat Coalition Webmaster, San Diego, California

*“The Animal Protective League and Sangamon County has conducted Trap-Neuter-Return since 1998. We have TNR'ed nearly **4800 feral cats**. Sangamon County Department of Public Health-Animal Control has from the start, supported and benefited from our TNR program. During this time I served on the Citizen's Advisory Committee to Sangamon County Animal Control. Our committee has never received one complaint about the TNR program. Animal Control appreciates our help in dealing with this area's feral cat population. We are currently working with the County Health Department in writing an ordinance to acknowledge TNR in our county.”*

Dr. Speck, a practicing vet in Springfield Illinois for over 15 years (Parkway Veterinarian Clinic, 506 South Dirksen Parkway, Springfield, Illinois, 62703, 773-523-3683)

¹ The full text of Dr. Mueller's Letter to the Editor can be found in Appendix C.

² See Appendix A for the full ASPCA Statement on Trap-Neuter-Return

³ <http://www.feralcat.com/critics.html>

2 Introduction

Cat overpopulation continues to be a large problem for McHenry County Animal Control to solve. The crux of the crisis involves outdoor cats and the thousands of kittens they give birth to each year in McHenry County. Many of these cats were abandoned animals that were not spayed or neutered or the offspring of these animals. Eighteen months ago, McHenry County Animal Control and the Board of Health, with the support of the County Board initiated (in cooperation with local animal welfare groups Animal Outreach and Helping Paws) a pilot Trap-Neuter-Return (TNR) Program. It was hoped that this program would protect the public health, reduce shelter euthanasia, preserve scarce shelter resources and reduce our community's large feral and stray cat overpopulation crisis⁴.

To properly evaluate the feral cat issue, it first should be recognized that the current system of feral and stray cat control in McHenry County is failing. Exact figures on the cats' population are elusive, but can be estimated. Dr. Julie Levy, DVM, a professor at the University of Florida, Gainesville and one of the leading academicians in the feral cat field, recently evaluated demographic studies on the topic and concluded that, "for purposes of estimating the size of a community's feral cat population, it is reasonable to estimate 0.5 cats per household."⁵

Whatever their actual total number may be, feral and stray cats can be found throughout the community. Their unchecked reproduction has created a significant burden on shelter resources for our community shelter as well as local animal welfare organizations.

The impact of the feral and stray cat population goes beyond disturbance calls and reaches far into the cost and effectiveness of our community's animal control system. The un-neutered street cat population serves as a constant source of new cats and kittens. Many of these animals find their way into local shelters, taking up badly needed space, making it more difficult to adopt out cats already rescued and contributing to a financial burden of tens of thousands of dollars a year from the cost of euthanizing them.

To date, the official policy for dealing with feral cats for decades has been a mixture of "trap-and-kill" – so named because feral cats are unadoptable and invariably end up being euthanized when captured – and doing nothing. Both approaches have failed and will continue to fail if further pursued.

⁴ "Feral" refers to cats who are living outside human homes and have reverted to a wild state, while "stray" refers to cats who have been recently abandoned and are still domesticated. Most street cats are feral and tend to live in family groups referred to as colonies.

⁵ Levy, Julie, DVM, "Feral Cat Management," Chap. 23, p. 378, in *Shelter Medicine for Veterinarians and Staff* (Blackwell Publishers, 2004) [hereinafter referred to as "Levy"].

As this document will completely explain, because of feral population dynamics, trap-and-kill has no impact on the overall number of cats, creating no more than short-lived dips in their levels.

In summary, the present situation in McHenry County is characterized by an Animal Control with an abundance of feral and stray cats, a shelter system overburdened with the cats and their offspring, and the employment of methodologies that have completely failed in the past and have no reasonable chance of success in the future. Clearly the time has come to take a new approach.

An alternative that has proven effective at controlling the cat population in many communities does exist: Trap-Neuter-Return (TNR). TNR involves three steps:

1. trapping the cats in a colony
2. veterinary intervention in the form of neutering, eartipping, and vaccination including rabies
3. return of the cats to their home territory where they are then fed, sheltered and monitored on an ongoing basis by a designated caretaker. Kittens and friendly adoptable adults are removed from the colony and offered for placement in homes.

As described in this report, TNR is growing increasingly popular and is being utilized in more and more communities across the nation. This movement can be attributed to its many proven advantages over more traditional methods of animal control, including permanent reduction of feral and stray cat populations, cost savings to animal control and the elimination of nuisance behaviors by the cats. In addition, by returning the feral cats to their territory, TNR allows the neutered and vaccinated cats to provide the public health benefits of rat abatement and protection against rabies transmission from wildlife species. The lower feral population also helps to lower any predation on birds and wildlife by the cats.

I am very encouraged by the work of Animal Outreach and Helping Paws over the last 18 month pilot TNR program, that we are well on our way to solving the county's feral cat crisis. Through all private funding 1223 feral cats were trapped, immunized, spay/neutered and returned to colonies to be cared for. Additionally, 730 adoptable cats/kittens were taken out of colonies and adopted into county families homes. The cost to this county of handling these 1953 animals would have been over \$170,000.00, over 30% of the current Animal Control Budget.

Many of the colonies helped by this pilot program have been going on for years. Kind-hearted county residents have been overwhelmed wanting to find solution. With the average spay cost in the county over \$100.00, there were few options and the problem continued to grow exponentially...until now.

It is my hope that this document will help everyone understand the many facets of TNR. Only with this additional legal option to solving our cat overpopulation crisis can we hold out the realistic possibility of a permanent, long-term solution to feral and stray cat overpopulation and all its associated issues.

3 The Advantages of TNR (including many success stories)

3.1 Feral and Stray Cat Population Reduction

TNR reduces free-roaming cat populations through two means – first, by the removal of adoptable cats,⁶ and, second, through attrition outpacing births over time.

An excellent example of both means is provided by the twelve year old TNR program practiced with municipal approval and cooperation in Newburyport, a popular coastal town in Massachusetts. In 1992, after attempts to eradicate the approximately 300 cats living on the town's waterfront had failed, the municipality agreed to allow a TNR project. In 1992 through 1993, a private organization, Merrimack River Feline Rescue Society,⁷ trapped all of the cats and kittens. 200 were removed for adoption, resulting in an immediate population decline of over 66 percent.⁸ The other 100 cats were returned and then closely monitored over subsequent years. Some died or disappeared, while others became adoptable and were removed. Presently in 2004, there are 17 cats left, representing a decline of 83 percent from the original number returned, and a drop of 94 percent from the 300 cats present prior to the initiation of TNR.⁹

One of the first feral cat colonies worked on in New Jersey provides an excellent example of the positive impact of TNR. Approximately 10 years ago, the city of Cape May, previously inundated with feral complaints enacted a municipal ordinance allowing feral feeding, the registration of feral colonies and assisting feral feeders with a no-cost feral spay/neuter program. Since that time, the incidence of feral-related nuisance complaints has steadily decreased and is currently 80% reduced by the pre-program levels. John Queenan, Animal Control Officer of Cape May City estimates in the past 10 years of the program, the city's feral population has been reduced by approximately 50%. Presently no feral cats from Cape May City are finding their way into the city or county shelter systems.

Other TNR success stories in New Jersey in terms of population control are abundant. TNR has been successfully used, with municipal approval, on the boardwalk area of Atlantic City. C.A.R., a coalition of Alley Cat Allies, the Humane Society of Atlantic County, the Health Department of Atlantic City and local volunteers, has used TNR to successfully neuter and vaccinate the resident feral feline population. Steve Dash, president of the Humane Society of Atlantic County and the founder of the Atlantic City Boardwalk program states that through kitten adoptions and natural attrition, the Atlantic City boardwalk feral population has been reduced by more than 70% since the program began 3 years ago. Cat related nuisance complaints, common before the TNR ordinance was enacted, are now rare.

⁶ Slater, Margaret R., DVM, Community Approaches to Feral Cats, p. 39 (Humane Society of US Press, 2002) [hereinafter referred to as "Slater"].

⁷ www.mrfrs.org

⁸ Correspondence, Stacey LeBaron, President, Merrimack River Feline Rescue Society, July 15, 2004.

⁹ Ibid.

When TNR has been taken to the next level and practiced not just anecdotally at select sites, but on a community-wide basis, feral cat population reduction has been dramatic, as reflected by lower intake and euthanasia rates.¹⁰ In San Diego County, from 1988 through 1991, stray cat intake rates for municipal shelters were rising at a rate of approximately 10% a year, peaking in fiscal year 1991-1992 at a total of 19,077 cats, of whom 15,525 were euthanized.¹¹ In 1992, the Feral Cat Coalition of San Diego was founded and began implementing TNR on a county-wide basis. Two years and 3100 neutered feral cats later, stray intake rates had dropped by 35% and euthanasia by 40% with no other plausible explanation for the declines other than the TNR efforts.^{12 13}

In San Francisco, beginning in 1993, the San Francisco SPCA combined with San Francisco Animal Control to introduce a comprehensive city-wide TNR program, one that combined no cost spay/neuter with educational initiatives and incentives for getting feral cats altered. From 1993 through 1999, cat impounds dropped by 28%, euthanasia rates for feral cats dropped by 73%, and euthanasia rates for all cats fell by 71%.¹⁴

Maricopa County, Arizona, is one of the most heavily populated and rapidly growing regions in the country. Maricopa County Animal Care & Control introduced a TNR program (entitled Operation FELIX) as part of a comprehensive spay/neuter and adoption program. As a result of the overall program, there was a drop in the euthanasia rate from 25 cats per 1000 county residents to only 9 cats per 1000.¹⁵ FELIX was considered so successful that the Maricopa County Board of Supervisors has passed a resolution declaring TNR the official county policy for feral cat control.

In southern Florida, where local TNR programs were introduced in the early 1990's, euthanasia by animal control has dropped by half with most of the decline attributed to fewer cats being killed. For example, in 2001, all shelters combined in the Fort Lauderdale/Miami corridor euthanized 14.1 cats and dogs per 1000 residents, compared to 33.0 per 1000 in 1997.¹⁶ In Tampa, where TNR has not been implemented, the euthanasia rate in 2001 was 32.4 cats and dogs per 1000 residents, while across the bay in St. Petersburg where TNR has been widely practiced, the rate is only 13.7.¹⁷

Proof that TNR effectively reduces feral populations in the long term also comes from the academic community. Dr. Levy conducted an eleven year TNR project at her campus at the

¹⁰ Reducing the feral population lowers euthanasia rates in primarily two ways. First, fewer feral cats are brought into shelters and euthanized. Second, fewer feral kittens means friendly cats already in the system face less competition for shelter space and homes and are spared euthanasia.

¹¹ Chappell, Michelle, DVM, "A Model for Humane Reduction of Feral Cat Populations," *California Veterinarian* (Sept/Oct 1999).

¹² *Ibid.*

¹³ *Cat Fanciers Association Almanac* (1995), www.cfainc.org/articles/trap-alter-release.html

¹⁴ San Francisco SPCA report, Sept. 2000.

¹⁵ Leonard, Christina, "Animal Control sets records with more adoptions, less euthanasia," *The Arizona Republic*, July 15, 2002.

¹⁶ Clifton, Merritt, "Where cats belong--and where they don't," *ANIMAL PEOPLE*, June 2003.

¹⁷ *Ibid.*

University of Florida, Gainesville.¹⁸ The program resulted in a 66% decline in the feral population over the course of the study. Dr. Levy concluded that, "A comprehensive long-term program of neutering followed by adoption or return to the resident colony can result in reduction of free-roaming cat populations in urban areas."

3.2 Illinois and U.S. TNR Work

Compared to many other parts of the United States, TNR is in its infancy here the state of Illinois. With very few major metropolitan areas working with their governmental agencies, as has been going on in states on our east and west coasts, the full extent of the feral cat issue had not been realized until the last few years. TNR however has been going on in the state for many years without government intervention. Many veterinarians and animal welfare organizations have been practicing it with much success. The extensive research and statistics that exist in other parts of the US are scarce here in Illinois, but below are some of the organizations doing TNR in Chicagoland area (and other parts of Illinois).

- Chicagoland Cat Coalition
 - DuPage County, A Caring Place Humane Society
 - Kane County, Adopt a River Cat
 - Kane County, Anderson Animal Shelter
 - Cook County, Animal Care League
 - Cook County, Community Animal Rescue Effort
 - Cook County, Chicago Alley Cat Trackers
 - Will County, C.O.P.E.
 - Cook County, Illinois Companion Animal Network
 - DuPage County PACT Humane Society
 - Cook County, PAWS Chicago
 - Cook County, Precious Pets Almost Home
 - Cook County, Second Chance Adoption Organization
 - Cook County, Anti Cruelty Society
-
- Springfield, IL, Dr. Speck, a practicing vet in Springfield Illinois for over 15 years (Parkway Veterinarian Clinic, 506 South Dirksen Parkway, Springfield, Illinois, 62703, 773-523-3683) has been doing TNR with a local animal welfare organization, Animal Protective League of Springfield. Dr. Speck wrote to me, "The Animal Protective League and Sangamon County has conducted Trap-Neuter-Return since 1998. We have TNR'ed nearly **4800 feral cats**. Sangamon County Department of Public Health-Animal Control has from the start, supported and benefited from our TNR program. During this time I served on the Citizen's Advisory Committee to Sangamon County Animal

¹⁸ Levy, J., "Evaluation of the effect of a long-term trap-neuter-return and adoption program on a free-roaming cat population," *Journal of the American Veterinary Medical Association*, Vol. 222, No. 1, January 1, 2003.

Control. Our committee has never received one complaint about the TNR program. Animal Control appreciates our help in dealing with this area's feral cat population. We are currently working with the County Health Department in writing an ordinance to acknowledge TNR in our county."

- Lake County, Spay and Stay - a non-profit that was incorporated in March 2003 specifically to work with the county's feral cats. The group is currently working with the Lake County Health Department and County Board to write an ordinance that allows for TNR. While Spay and Stay does not have an adoption program, they do assist caretakers in socializing and getting their adoptable cats/kittens adopted. To date the organization has done the following:
 - Total Sterilized 1311 (spayed 701, neutered 610)
 - Total Cats returned to colonies 1098
 - Total number of colonies, 460
 - Total adopted cats/kittens, 339
 - Total adopted through caretaker efforts after returned to colony subsequently became social enough to adopt, 89

The following is data collected from states, counties and cities through out the United States.

Organization	Data Timeframe	Number of ferals S/N and Returned	Number of colonies	Number of cats Removed
Indy Feral PO Box 30054 Indianapolis, IN 46230 317-596-2300 www.indyferal.org	March 2002- Oct 2005	5,887	889	2,853
University of Florida Gainesville, FL Dr. Levy	January 1991 – April 2002	68 – as of April 2002 23 cats remaining	1	39
Feral Cat Alliance of Texas A&M University	August 1998 – August 2003	105 – as of August 2003, 67 cats remaining	22	82
Merrimack River Feline Rescue Society 63 Elm St. Salisbury, MA 01952 978-462-0760 www.mrfrs.org	1992 – 2004	374 – as of October 2004 23 cats remaining	25	510

Organization	Data Timeframe	Number of ferals S/N and Returned	Number of colonies	Number of cats Removed
San Diego Feral Cat Coalition 4 Animal Welfare Organizations 12 Veterinarian Clinics	1997 – October 2005	22,000	NR	NR
Friends of Ferals Dane County, WI 608-209-5529 www.daneferal.org	June 2001	1020	NR	NR
Friends of Ferals PO Box 475 Castle Hayne NC 28429 910-452-6721 www.friendsofelines.org	2000 - 2004	2869	NR	NR
Alley Cat Advocates #204 3020 Bardstorm Rd. Louisville, KY 40205 www.alleycatadvocates.org	2000-2005	1388	NR	NR
Feral Cat Coalition of Oregon	1995 – 2005	15,000	NR	NR
San Francisco SPCA	1993 – 2005	13,000	NR	NR
Utah Feral Fix	2002 - 2005	16,000	NR	NR

Best estimates from national feral cat organization Alley Cat Allies determines that there are over 2000 organizations in the United States practicing TNR

3.3 Cost Savings

TNR provides substantial cost savings to animal control in two ways. First, there is the volunteer manpower generated to get the cats fixed and stop them from reproducing. Given the magnitude of the problem, there is no realistic possibility that McHenry County could ever itself fund a large enough animal control work force to resolve the feral cat overpopulation crisis. The volunteer feral care-givers and private programs such as the Feral Friends Program run by Animal Outreach Humane Society offer significant cost savings that are crucial to the success of an effective control of the feral cat problem as well county tax dollars.

Substantial cost savings are also realized when TNR is implemented on a large enough scale to realize lower euthanasia rates in municipal shelters. In San Diego, during the period of 1992

through 1994, the average cost of interning and then euthanizing a cat was \$121. The 40% drop in euthanasia over those two years from the privately funded county-wide TNR program saved the county approximately \$796,000.¹⁹

Unfortunately, in the past feral cat numbers processed by McHenry County Animal Control (MCAC) have not been recorded. However, when looking at other surrounding county statistics, it would be safe to say that approximately 30% of the cats MCAC processed over the years were feral. With a reduction in these numbers the county would realize a significant reduction to the MCAC budget.

Cat intake and redemption figures for McHenry County were as follows:²⁰

Cat Statistics (by Year)	2000	2001	2002	2003	2004
Adopted	120	147	230	229	208
Returned To Owner	41	40	56	61	23
Transferred ²¹	0	0	0	0	42
Euthanized ²²	438	458	444	375	562
Died	17	12	17	23	23
Total Cats Handled:	616	657	747	688	858

For McHenry County cat redemption and adoption from shelter impoundment was very low indicating that the vast majority of these impounded cats were euthanized. What percentage of impounded cats were feral is impossible to accurately determine, but the sad fate of the majority of these cats is clear. Eartipping and microchipping of these cats, whether owner or in managed feral colonies could have saved many lives.

Studies have found there is a significant cost savings even when the municipality itself funds TNR efforts and does not rely on private organizations to bear the costs. Orange County, Florida, implemented a TNR program for two and a half years from 1995 through 1998. Previously, when they received a feral cat complaint, they sent out an officer to trap the cat, held the animal for the mandatory waiting period, then euthanized. This cost \$105 per cat. By contrast, having volunteers trap the cats and then providing spay/neuter and vaccination services cost the county \$56 per cat, a savings of \$109,172 over the length of the study (2228 cats).²³

¹⁹ Chappell, Michelle, DVM, "A Model for Humane Reduction of Feral Cat Populations," California Veterinarian (Sept/Oct 1999).

²⁰ Figures provided by Health Department Administrator Pat McNulty at the May 19, 2005 Animal Control Ad Hoc Committee meeting.

²¹ Transferred refers to animals transferred to local groups like Helping Paws and Animal Outreach that might have otherwise been killed.

²² In this table, McHenry County Animal Control includes in this statistic both medical-related euthanasia (where the animal's future health prognosis even with treatment was poor or grave - or the animal was suffering) as well as terminating an animal's life for space, cost, adoptability, or other issues.

²³ Hughes, K., Slater, M., Haller, L., "The Effects of Implementing a Feral Cat Spay/Neuter Program in a Florida County Animal Control Service," Journal of Applied Animal Welfare Science, Vol. 5, No. 4 (2002).

3.4 Reduced Nuisance Behavior and Fewer Complaints

Neutering the cats resolves most quality of life issues. The noxious odor associated with the spraying of unaltered males is caused by testosterone in the urine. Though a cat may still spray after being neutered the odor is no longer present. The cessation of reproductive activity also brings an end to mating behavior and the noise associated with it – both the yowling of females in heat and the fighting among male cats. In addition, neutered feral colonies tend to roam much less and so become much less visible.

According to Dr. Slater’s research, “Managed colonies of feral cats can be part of the solution to nuisance complaints.”²⁴ Dr. Slater cites one animal control agency in Florida that found complaints in a six-square block area dropped by half after implementation of a TNR program.²⁵ In the city of Cape May, New Jersey, complaints to animal control about cats dropped by 50 percent after four years of sanctioned TNR.²⁶ After funding and running its own TNR program, the Animal Services Department of Orange County, Florida, also reported decreased complaints about cats.²⁷

We have been fortunate here in McHenry County as we only get a few cat-related complaints each year but, if the population of cats continues grow and as McHenry County becomes more urban, complaints will increase.

3.5 Caretaker Cooperation

No effective animal control policy for feral cats can be implemented on a large scale without the cooperation of the people who feed and watch over the cats on a daily basis. Trapping cats is generally accomplished by baiting humane box traps that close behind a cat when he enters to eat the bait. If food is not withheld the day prior to trapping, many cats will not enter the traps. Caretaker cooperation in withholding food is thus essential.

Caretakers also possess unique knowledge regarding the cats, including their numbers, habits and whereabouts. As a result, a caretaker can either greatly assist or effectively thwart animal control efforts.

A survey of cat caretakers who presented cats for sterilization in a TNR program revealed that they are intensely bonded to the cats they feed and will not participate in animal control programs that threaten their felines’ welfare.²⁸ At the same time, caretakers are easily recruited to perform much of the labor involved in getting the cats controlled through sterilization, representing, as mentioned, a substantial cost savings compared to traditional animal control

²⁴ Slater, p. 39.

²⁵ Ibid.

²⁶ Id.

²⁷ Levy, p. 381.

²⁸ Centonze LA, Levy JK, “Characteristics of feral cat colonies and their caretakers,” *Journal of the American Veterinary Medical Association* 2002; 220:1627-1633.

programs using paid staff.²⁹ Thus, TNR is an effective tool for enlisting public support to solve a difficult community problem while at the same time mitigating public anger resulting from either the “trap-and-kill” or “do nothing” methodologies.

²⁹ See caretaker participation in sterilization clinics described in: Williams LS, Levy JK, Robertson SA, Cistola AM, Centonze LA, “Use of the anesthetic combination of tiletamine, zolazepam, ketamine, and xylazine for neutering feral cats,” *Journal of the American Veterinary Medical Association* 2002; 220:1491-1495.

4 The Lack of Effective Alternatives for Feral Cat Control

One of the most powerful arguments for Trap-Neuter-Return as a method of feral and stray cat control is also one of the most basic – nothing else works. Whatever its imperfections in practice and theory, TNR is the *only* animal control methodology that has shown a reasonable chance of controlling feral cat populations in semi-urban/rural environments like those found in McHenry County. **Whatever ills one may rightly or wrongly associate with feral cats – whether it’s public health concerns, wildlife predation or anything else – those problems will not be reduced without a reduction in the level of the feral cat population.** To achieve this, TNR is the only approach with hope of success, as an examination of the available alternatives makes clear.

4.1 Trap-and-kill

Trap-and-kill has been the traditional approach of animal control in the United States towards free-roaming cats for decades. It should be enough to conclusively establish the complete failure of this method by pointing out that current estimates of the number of feral cats in this country now run into the tens of millions.³⁰ Trying to remove the cats doesn’t work to lower their numbers. It’s a clumsy, simplistic technique that completely fails to take into account critical environmental factors and feral cat population dynamics. Trap-and-kill results in nothing but turnover – new feline faces, but not fewer. There are a number of reasons for this, including (a) the “vacuum effect,” (b) overbreeding by untrapped cats, (c) abandonment of domestic cats and, (d) lack of animal control resources.

4.1.1 The Vacuum Effect

The “vacuum effect” was first chronicled by wildlife biologist Roger Tabor during his studies of London street cats. He observed that when a colony of feral cats was suddenly removed in total from its territory, cats from neighboring colonies soon moved in and began the unchecked cycle of reproduction anew until the population was back up to its former level.³¹ As explained in another study, “the presence of feral cats in a place indicates an ecologic niche for approximately that number of cats; the permanent removal of cats from a niche will create a vacuum that then will be filled through migration from outside or through reproduction within the colony, by an influx of a similar number of feral cats that are usually sexually intact; and removal of cats from an established feral colony increases the population turnover, but does not decrease the number of cats in the colony.”³²

³⁰ Slater, p. xi.

³¹ Tabor, Roger, “The Wild Life of the Domestic Cat,” p. 183 (1983) [hereinafter referred to as “Tabor”].

³² Zaunbrecher, Karl I., DVM, & Smith, Richard E., DVM, MPH, “Neutering of Feral Cats as an Alternative to Eradication Programs,” Journal of the American Veterinary Medical Association, Volume 203, Number 3, August 1, 1993.

Migration of new cats into recently vacated territory can be traced to two factors: first, feral cats are present at a particular location for a reason - the habitat provides adequate food and shelter. Second, no feral colony is an island, but is part of an extensive ecosystem containing similar colonies, one adjoining the next. As a result, if a colony is removed from its territory, but the habitat is left unchanged, neighboring cats will move right in to take advantage of the food source and shelter that remains. Reproduction and population growth ensue until the natural ceiling is again reached, that being the number of cats the habitat can support.³³

Eliminating all food sources is virtually impossible.³⁴ Once a cat is spotted by a kind soul who starts to leave food, a food source is created. People are going to feed outdoor cats no matter what, as the ineffectiveness of feeding bans with serious civil and criminal consequences has demonstrated.³⁵ It is also difficult in institutional settings, whether it's jails, restaurants or apartment complexes, to adequately seal dumpsters and other garbage containers to keep out feral cats.

4.1.2 Over-breeding

The trapping and removal of every member of a feral colony is a difficult and time-consuming task. Even TNR activists have great difficulty in capturing 100 percent of a colony and must allow at least several days of trapping efforts to accomplish this. When busy animal control personnel attempt to trap a feral colony, inevitably some cats are left behind. With less competition for the food and shelter that remains, these cats reproduce faster and more of their offspring survive until the carrying capacity of the habitat is again reached.³⁶

4.1.3 Abandonment

Unaltered domestic cats are constantly being abandoned into our streets, often by uneducated owners who do not realize problem behaviors by sexually intact cats could be readily resolved by neutering. Without monitors and caretakers in place to quickly capture and either fix or adopt out these former domestics, they too, are available to repopulate any suitable habitat made vacant by trap-and-kill efforts.

4.1.4 Lack of animal control resources

Few communities, including McHenry County have the resources to devote to trying to trap and remove a significant percentage of the feral cats in the municipality. It takes cooperation with

³³ Clifton, Merritt, "Seeking the truth about feral cats and the people who help them," ANIMAL PEOPLE, Nov. 1992.

³⁴ Hartwell, Sarah, "Why Feral Eradication Won't Work," (1994, 2003), www.messybeast.com/eradicat.htm.

³⁵ E.g., a court in Fort Lee, NJ, where feeding any animal outdoors is banned, recently fined a stray cat feeder \$300 and threatened her with a 30 day jail term if she continued. Nonetheless, Neighborhood Cats has documented the ongoing feeding and care of scores of feral cats in the township.

³⁶ Clifton, Merritt, "Street Dog & Feral Cat Sterilization and Vaccination Efforts Must Get 70% or Flunk," ANIMAL PEOPLE, October 2002.

animal welfare organizations that have the volunteer force and the private funding to solve the feral cat problem. Animal welfare organizations want to solve this problem, they wish to minimize free roaming feral cats. Working together in a public-private partnership is beneficial to both groups and has been successful in many communities throughout the US. With reasonable TNR program requirements public health and safety as well the health and safety of the cats can be maintained.

4.1.5 Waukegan, Illinois: a case study in the failure of trap-and-kill

Waukegan, Illinois is a township of 88,000 located on the shore of Lake Michigan. Waukegan's long-standing method for controlling their feral cat population has been the traditional trap-and-kill.³⁷ Recently, the town has made news by trying to effectively ban TNR. The town's council enacted an ordinance that forbids the release of any cat except into an outdoor enclosure. To build and operate such an enclosure, a kennel license must be sought and paid for. In addition, a prior ban against feeding stray cats is in effect. Stiff fines enforce these provisions.³⁸

According to Tina Fragassi, the local animal control warden, her agency has trapped and removed approximately 500 feral cats each of the past eleven years.³⁹ In Ms. Fragassi's view, this steady number reflects the success of Waukegan's policies in controlling the cats.⁴⁰ The truth is just the opposite and points to the futility of trap-and-kill.

That every year 500 cats need to be trapped indicates the feral population is remaining at the same level. The feline faces may be changing, but the total number of cats is staying the same. As a result, every year in Waukegan the same amount of time and wages is invested in animal control seizing 500 cats, the same cost is incurred by the township in adhering to mandatory waiting period and euthanasia requirements, and the same number of complaints are made. By contrast, a successful animal control approach would mean fewer and fewer feral cats in the community as reflected by continually *falling* seizures, costs and complaints. This is the goal of TNR. As explained by Dr. Slater, TNR “should be considered an interim solution to the problem of feral, free-roaming cats – the first step towards reducing the size of the colony through attrition.”⁴¹

4.2 Eradication

Eradication of feral cats, defined as the one hundred percent removal of all ferals from an area, has been advocated since at least 1916.⁴² The method has proven successful, however, only on small, uninhabited islands after decades of intensive control measures including poisoning,

³⁷ Hamill, Sean, “Neuter, release program for feral cats stirs debate,” Chicago Tribune, July 7, 2004.

³⁸ Ibid.

³⁹ Hamill, Sean, Chicago Tribune reporter, interview of Tina Fragassi.

⁴⁰ Ibid.

⁴¹ Slater, p. 14.

⁴² Berkeley, Ellen Perry, *Maverick Cats*, p. 121 (New England Press, 1982, 2001).

hunting, trapping and introduction of infectious feline diseases.⁴³ One of the best-known examples of the difficulty of eradication is Marion Island, a small uninhabited island (12 miles x 8 miles) located southeast of South Africa between South Africa and Antarctica.⁴⁴

In 1949, a group of scientists left the island, leaving behind 5 unneutered cats. By 1977, there were an estimated 3,400 cats preying on ground-nesting seabirds.⁴⁵ Deliberate infection of the feral cat population with Feline Panleukopenia Virus (feline enteritis) followed and killed around 65% of the cat population by the early 1980's.⁴⁶ Many of the remaining 35% developed immunity to the disease and continued to breed.⁴⁷ Between 1986 and 1989, 897 cats were further exterminated by hunting. Traps with poison baits were then used to kill the cats that eluded the guns. No cats have been seen since 1991. In 1993, sixteen years after it was begun, the eradication program was declared a success.⁴⁸

The methods used on Marion Island – introduction of infectious disease, shooting and poisoning – would be unfeasible in a populated area such as McHenry County for safety, cost and aesthetic reasons.⁴⁹ Even assuming such techniques could be employed, the vacuum effect discussed earlier, which was not present in a geographically isolated situation like Marion Island, would likely outpace eradication efforts.

Despite these considerations, Akron, Ohio recently undertook an attempt to eradicate all free-roaming cats within its city limits. On June 25, 2002, the City Council passed a cat confinement law that authorized the animal control warden to seize and euthanize any cat at large if left unclaimed.⁵⁰ Animal control reportedly requested an additional annual budget of \$410,385 to trap-and-kill what they estimated would be a total of 3500 cats.⁵¹

Over the next two years following the law's enactment, a total of 2750 cats were picked up and killed.⁵² It is too soon to say whether the law will eventually have its desired effect of eliminating free-roaming cats or whether, as in Waukegan, animal control will continue to seize a consistent number of cats on an annual basis. But it is already abundantly clear that the trap-and-kill program has had serious negative side effects. The killing has spawned extreme divisiveness within the community between animal advocates and municipal officials,⁵³ has

⁴³ Levy, p. 380.

⁴⁴ Hartwell, Sarah, "Why Feral Cat Eradication Won't Work," (1994, 2003), www.messybeast.com/eradicat.htm.

⁴⁵ Ibid.

⁴⁶ Id.; Berkeley, pp. 123-124.

⁴⁷ Hartwell (see fn. 71, supra).

⁴⁸ Ibid.

⁴⁹ Levy, p. 381.

⁵⁰ Akron OH Municipal Code, Title 9, sec. 92.15; see also, Sangiacomo, Michael, "Akron law to trap, kill cats is OK, judge rules," *Cleveland Plain Dealer*, May 6, 2004.

⁵¹ Pet FBI (2002), www.petfbi.com/issuetravel.htm

⁵² Sangiacomo, Michael, "Akron law to trap, kill cats is OK, judge rules," *Cleveland Plain Dealer*, May 6, 2004.

⁵³ Protest held in front of City Hall (Wallace, Julie, "Akron may help cats get to homes," *Akron Beacon Journal*, Feb. 11, 2004); City Council received 1200 letters protesting the ordinance, 10 in favor (Cat Fanciers' Association Legislative Group, "Trends in Animal Legislation: The Year 2002 in Review,"

www.cfainc.org/articles/legislative/legislation-review02.html); nonprofit organization called Citizens for Humane

given rise to at least one lawsuit,⁵⁴ has created negative publicity for Akron on a national scale,⁵⁵ has cost the city hundreds of thousands of dollars between the trapping efforts and litigation, and has ship-wrecked the county animal shelter because of the sudden deluge of cats.⁵⁶

Akron represents the antithesis of what is needed to successfully control feral cat populations on a large scale. According to Dr. Levy, “Clearly, any realistic plan to control feral cats must recognize the magnitude of the feral cat population, the need to engage in continuous control efforts, and the significance of the public’s affection for feral cats. The most successful examples of enduring community-wide animal control have incorporated high-profile, non-lethal feral cat control programs into integrated plans to reduce animal overpopulation.”⁵⁷

4.3 Trap-and-remove

Compassionate callers reporting feral cats often initially seek the adoptive placement of the cats or their relocation to a safer place. This “trap-and-remove” approach is impractical on a large scale. Socialization of feral cats is an uncertain process, and even if the time and resources existed to implement socialization on a widespread basis, there are not enough available homes for them. As it is, completely tame cats already in city shelters and up for adoption are regularly euthanized for lack of space. Regarding relocating the cats, Dr. Slater writes, “Transfer to a new location is rarely recommended because finding a suitable site can be difficult, time consuming, and stressful for the cats and often has low survival rates at the new site.”⁵⁸

Furthermore, trap-and-remove creates the same vacuums in the original territory as trap-and-kill and so will likewise have no long-term impact on feral population levels.

Removing feral cats and putting them in outdoor enclosures while an idyllic solution in concept is unrealistic. Health and quality of life of the cats are greatly impacted in an enclosure setting with a high density of cats. The medical and material resources required to adequately care for these animal would be astronomical. Also, private funding through animal welfare organizations would not support this effort.

Animal Practices formed to fight the Akron law (USA Today.com, “Ohio city council considers electronic tracking of cats,” Feb. 10, 2004).

⁵⁴ Lawsuit filed by Animal Legal Defense Fund and six Akron residents with cats (Animal Legal Defense Fund [Akron, Ohio], pub. 10/27/03, www.aldf.org/article.asp?cid=249).

⁵⁵ Akron referred to by Florida resident as having “a national reputation for using the most ineffective, expensive and morally reprehensible means of dealing with feral cats,” (Letter to the Editor, Miami Herald, December 21, 2003); Akron website’s message board closed down due to deluge of angry emails from around the world (Sangiacomo, supra, Cleveland Plain Dealer).

⁵⁶ Summit County Executive Director James McCarthy “has blamed Akron’s cat law for worsening shelter problems,” (Abraham, Lisa, “Animal Shelter Review Approved – Summit County will bring in national experts to evaluate the troubled program,” Akron Beacon Journal, Jan. 23, 2004).

⁵⁷ Levy, p. 381.

⁵⁸ Slater, p. 12.

4.4 Do nothing

The growth of an uncontrolled feral cat population, as with any wild species, will level off when the cats exceed the capacity of the habitat. Beyond capacity, population control comes in the form of starvation and disease.⁵⁹ The problems associated with unneutered feral cats remain. Usually, doing nothing, “results in continued breeding, increased cat mortality, continuing complaints by those near the colony, public health concerns, animal welfare concerns (often generated by high kitten mortality rates), and eventual financial costs in personnel, transportation, and euthanasia to animal care and control agencies and local governments.”⁶⁰

⁵⁹ Clifton, Merritt, “Street Dog & Feral Cat Sterilization and Vaccination Efforts Must Get 70% or Flunk,” ANIMAL PEOPLE , Oct. 2002.

⁶⁰ Slater, p. 15.

5 Issues Surrounding Trap-Neuter-Return

5.1 Wildlife Predation

Despite its proven track record for reducing feral cat populations and animal control costs, and despite the lack of any effective alternatives, TNR is still controversial. Much of this controversy can be traced to concerns that feral cats are responsible for a disproportionate amount of predation on birds and other forms of small wildlife. The American Bird Conservancy, sponsor of the “Cats Indoors!” campaign, claims feral cats, “are efficient predators estimated to kill hundreds of millions of native birds representing 20-30% of the prey of free-roaming cats, and countless small mammals, reptiles, and amphibians each year...”⁶¹ The argument goes that by returning feral cats to their territory, TNR encourages this predation to continue and so should be outlawed for the protection of wildlife.⁶²

The American Bird Conservancy’s position suffers from two key defects. First, no reliable studies support the predation levels being claimed and none identify feral cats as a contributing factor to the decline of any bird or wildlife species. Second, TNR does not encourage but actually discourages predation – in the long run, by reducing the feral cat population in a given area, it reduces whatever level of predation already existed

5.1.1 Available research does not support the conclusion feral cats have a species level impact on bird or wildlife populations

Studies that claim feral cats are responsible for substantial numbers of bird deaths over wide geographical areas, like a state or an entire country, are based on insufficient data and highly questionable extrapolations, and have been repeatedly discredited.⁶³ One example is the oft-cited study of predation by cats conducted in a village in the English countryside.⁶⁴ The researchers counted the number of prey brought home by 77 cats. Based on this one small sample, they projected a total of 70 million prey by Britain’s entire free-roaming cat population, with birds accounting for 30 to 50 percent of the catch.⁶⁵ Extrapolating from one non-randomly selected village to the whole of Great Britain lacks all scientific validity.⁶⁶ Yet this and similar small-

⁶¹ American Bird Conservancy’s Resolution on Free-Roaming Cats, www.abcbirds.org/cats/resolution.pdf

⁶² Ibid.; see also Wildlife Society’s Policy Statement on Feral and Free-Ranging Domestic Cats, www.wildlife.org/policy/index.cfm?tname=policystatements&statement=ps28

⁶³ “Many studies indicate that claims about wildlife mortality due to cat predation are overblown, not based on data or scientific study, or are extrapolated to dissimilar populations or environments.” The Animal Policy Report, p. 1, Tufts University School of Veterinary Medicine, March 2000.

⁶⁴ Churcher PB, Lawton JH, “Predation by domestic cats in an English village,” *J Zool (London)* 1987; 212:439-455; Churcher PB, Lawton JH, “Beware of Well-Fed Felines,” *Natural History (July 1989)* 98(7): 40-46.

⁶⁵ Ibid.

⁶⁶ Slater, p. 34; see also Elliot, J., “The Accused,” *The Sonoma County Independent* (March 3-16, 1994)

[criticizing extrapolations made by Churcher and Lawton], article excerpted at:

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scale studies have been repeatedly subjected to extrapolation and have been sensationalized.⁶⁷

Dr. Gary J. Patronek, DVM, Ph.D., commented on the use of unreliable extrapolations to quantify cat predation as follows:

*If the real objection to managed colonies is that it is unethical to put cats in a situation where they could potentially kill any wild creature, then the ethical issue should be debated on its own merits without burdening the discussion with highly speculative numerical estimates for either wildlife mortality or cat predation. Whittling down guesses or extrapolations from limited observations by a factor of 10 or even 100 does not make these estimates any more credible, and the fact that they are the best available data is not sufficient to justify their use when the consequences may be extermination for cats.*⁶⁸

The use of small-scale, non-random studies by the American Bird Conservancy and other organizations to make the case that feral cats are killing hundreds of millions of birds annually in the United States and negatively impacting entire species amounts to no more than sheer propaganda. “In mainland ecosystems, no published data have shown that cats have a detrimental impact on wildlife populations of particular species.”⁶⁹

The American Bird Conservancy’s claim that birds make up 20 to 30 percent of a free-roaming cat’s diet is also based on misinterpretation of several studies.⁷⁰ The assertion is “misleading, inflammatory, self-serving, and undeserving of the repetition it has received in the media.”⁷¹ To the contrary, reputable studies have repeatedly demonstrated that birds are a relatively small percentage of a feral cat’s diet, which relies much more on ground mammals when they’re available.⁷²

Further pointing to the complexity of the issue is a recent study by Britain’s Royal Society for the Protection of Birds. The study was designed to determine the causes of the decline of Britain’s most common garden birds. It was found that cats and magpies preyed on robins, chaffinches, collared doves and wood pigeons, but these bird species were actually rising in number.⁷³ This study, as well as others, demonstrates that predation alone does not necessarily have a negative impact on the total prey population.⁷⁴

www.stanford.edu/group/CATNET/articles/understd_pred.html;

⁶⁷ Slater, p. 34.

⁶⁸ Letter to Editor, Journal of the American Veterinary Medical Association, Vol. 209, No. 10 (November 15, 1996).

⁶⁹ Ibid.

⁷⁰ Berkeley, pp. 137-138.

⁷¹ Berkeley, p. 137.

⁷² Coman, Brian J. and Brunner, Hans, "Food Habits of the Feral House Cat in Victoria," Journal of Wildlife Management 36:3 (1972) 848-853; Fitzgerald BM. Chapter 10: "Diet of domestic cats and their impact on prey populations," in: Tuner DC, Bateson P, eds. The domestic cat. Cambridge: Cambridge University Press, 1988;123-147.

⁷³ "Cats in Clear re: Birds," Best Friends, July/Aug. 2004.

⁷⁴ See "Predation by house cats, Felis catus, in Canberra, Australia. I. Prey composition and preference," Wildlife Research 1997, 24:263-277 & H. "Factors affecting the amount of prey caught and estimates of the impact on wildlife," Wildlife Research 1998, 25:475-487.

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Factors that have been reliably demonstrated to significantly contribute to the decline of bird and wildlife species include, foremost, habitat destruction, then also pollution, competition from other bird species, and predators such as raccoons and opossum.⁷⁵ Effectively exonerating cats is an exhaustive study of the causes of migratory bird decline in the United States published in the spring of 2003 by David I. King of the USDA Forest Service Northeastern Research Station and John H. Rappole, a research scientist with the Smithsonian Conservation and Research Center.⁷⁶ The study was commissioned by the Defenders of Wildlife,⁷⁷ a prominent national organization whose mission is the protection of native wild animals and plants in their natural environments.

The researchers, after reviewing annual bird census data and 36 earlier studies, reached three important conclusions: (1) the migrant bird populations have declined in numerous species, (2) the most threatened group of species are long distance migrants, and (3) the most important threat to migrants is the destruction of breeding, stopover and, especially, winter tropical habitat.⁷⁸ Specifically, they identified 106 different types of migrant birds and listed the proposed or documented causes for the decline of each. Loss of habitat was by far the cause listed most often. Other causes included human disturbance of breeding sites, pesticides, poisons, and hunting. "Cats" was not listed once.⁷⁹ At least one wildlife author has concluded this study indicates that, "[W]indows, cats, West Nile virus, wind turbines — all those specific causes of death that are apparent in people's backyards -- are not, at present, having any known effect on the population size of any continental bird species."⁸⁰

Further support for the position that feral cats do not have a significant impact on bird species comes from the most recent issue of Audubon, the magazine published by the National Audubon Society. The Sept./Oct. issue contains a report entitled, "State of the Birds 2004." According to the magazine, "Audubon's science team has pooled the best data available since Silent Spring to report on [the nation's birds'] overall health."

The report opens with an article by Greg Butcher, Audubon's director of bird conservation. He writes that, "Threats to avian life in the United States are many, but the most serious is the outright loss of habitat due to expanding agriculture, the clear-cutting of forests, the draining of wetlands, and sprawl."⁸¹ Mr. Butcher also states that, "...birds here face other perils, as well. Climate change, air and water pollution, pesticides, and collisions with buildings, towers, and wind turbines also take a toll."⁸²

⁷⁵ Slater, p. 34.

⁷⁶ King, D., Rappole, J., Population Trends for Migratory Birds in North America: A Summary and Critique, www.defenders.org/wildlife/new/birds.html (2003)

⁷⁷ www.defenders.org/wildlife/new/birds.html.

⁷⁸ Ibid.

⁷⁹ Id. (contained in appendix 3 of the King & Rappole report).

⁸⁰ Yakutchit, Maryalice, "Plight of the Vanishing Songbirds," Defenders of Wildlife Magazine, Spring 2003; www.defenders.org/defendersmag/issues/spring03/plightsongbird.html.

⁸¹ Butcher, G., "The Big Picture," Audubon State of the Birds 2004, Audubon, Vol. 106, No. 4 (Sept.-Oct. 2004).

⁸² Ibid.

Notably, Mr. Butcher does not cite cats as posing a risk to bird species. The only specific mention of cats in the entire State of the Birds 2004 report is in an article entitled "What You Can Do," in which the common sense advice of keeping pet cats indoors is given.

The National Audubon Society's conclusions are consistent with all available research that is regarded as reliable and credible and which concludes feral cats do not have a species-wide impact on any birds or wildlife. The Audubon's director of bird conservation would not fail to mention feral cats as a risk to bird species if he agreed with the American Bird Conservancy's claim that these cats are killing hundreds of millions of birds annually. The Audubon report points to the limited scope of the predation issue, which in truth involves select, isolated sanctuaries and wildlife habitat and not the vast majority of cities, towns and rural settings where feral cats live.

5.1.2 TNR reduces rather than encourages predation

Rather than encouraging predation, TNR can actually aid in the protection of wildlife and bird interests. It must be kept in mind that before any TNR work is done at a given site, the cats are already there, preying upon other species to whatever extent they do. If the cats are then neutered, returned and monitored by a caretaker, reproduction ceases and the population goes down over time, with the fewer cats leading to less predation.

The American Bird Conservancy argues wildlife would be best protected if the first step of trapping is taken, but not the second of return. Euthanasia, they believe, is a more acceptable solution.⁸³ This amounts to no more than advocacy of the trap-and-kill method and suffers from all its flaws – the vacuum effect of cats migrating into newly vacant habitat to take advantage of food sources, the over breeding of any cats in the colony left behind, the lack of adequate animal control resources, and the opposition of caretakers to trapping efforts.

What many bird and wildlife advocates fail to come to grips with is the impossibility of quickly ridding the environment of feral cats in order to protect other species – it simply cannot be done. The only known way to eliminate feral cat colonies, as has been accomplished in Newburyport, is gradually through the TNR process. In Newburyport, where 300 feral cats resided twelve years ago, there are now 17. Plainly, whatever predation existed in 1992 is far lower now. The return of the neutered ferals was not an encouragement for more predation – it was part of the method for permanently lowering the cats' numbers.

Ironically, and sadly, groups like the American Bird Conservancy are actually harming their own interests by opposing the only known method of feral cat control with any reasonable chance of success. By advocating what amounts to either "trap-and-kill" or "trap-and-remove" instead of TNR, they help perpetuate the failed methods of the past - the methods which have led to a national overpopulation of feral cats in the tens of millions. To protect the birds, new approaches

⁸³ American Bird Conservancy's Resolution on Free-Roaming Cats, www.abcbirds.org/cats/resolution.pdf

and open minds are needed. It's also important in considering the predation issue to draw a distinction between two very different situations that the current debate tends to muddle together. **Simply because TNR might not be appropriate in bird sanctuaries like the McHenry County Conservation District land or our municipal parks, does not mean it should be rejected for other areas of McHenry County.** It's one thing if the particular site in question serves as a unique and critical habitat for wildlife, especially endangered species or migrating birds that might be vulnerable to a cat attack because of factors like their ground-nesting behavior. In those situations, humane alternatives to TNR such as relocation must be considered. It's another thing if the geographical area in question is an entire city or town. Simply because TNR might not be appropriate in a bird sanctuary doesn't mean it should be rejected for all of McHenry County.

5.2 Public Health

From the perspective of public health, feral cats and TNR touch upon three major issues: (1) rabies, (2) other zoonotic diseases, and (3) rat abatement. An examination of these issues demonstrates that on balance, the public health benefits of maintaining neutered, rabies-vaccinated feral cats in their environment through TNR far outweigh any possible public health threats.

5.2.1 Rabies

In 2001, according to the Centers for Disease Control and Prevention (CDC), wild animals accounted for 93% of reported cases of rabies in the United States. Among wild animals, the leading species were raccoons (37.2% of all animal cases in 2001), followed by skunks (30.7%), bats (17.2%), foxes (5.9%) and other wild animals, including rodents (0.7%). Only 6.8% of reported rabies cases were domestic animals.⁸⁴⁸³ The total number of cases attributed to cats in 2001 was 270. Since 1975, there have been no reported cases of a cat transmitting rabies to a human in this country.⁸⁵ Three large-scale exposures of humans to rabid or potentially rabid cats were reported from 1990 through 1996.⁸⁶ The risk that feral cats, who tend to be shy by nature and fearful of people, could transmit rabies to humans while at large is thus minimal judging by past experience.⁸⁷

The risk does exist to a greater degree in regions where rabies is prevalent among the local raccoon population. Raccoons often inhabit the same territory as feral cats. Most raccoon rabies occurs in the northeast/mid-Atlantic region (69.1% in 2001).⁸⁸ Most cat rabies occurs (214

⁸⁴ Krebs, J., Noll, H., Rupprecht, C., Childs, J., "Rabies surveillance in the United States during 2001," *Journal of the American Veterinary Medical Association* 221(12):1690-1701 (2002); see www.cdc.gov.

⁸⁵ Levy, p. 379.

⁸⁶ Slater, p. 32.

⁸⁷ *Ibid.*

⁸⁸ Krebs, J., Noll, H., Rupprecht, C., Childs, J., "Rabies surveillance in the United States during 2001," *Journal of the American Veterinary Medical Association* 221(12):1690-1701 (2002); see www.cdc.gov.

of the 270 reported cases in 2001) in states where the raccoon-variant of rabies is present.⁸⁹ In 1999, it was discovered that, “Nearly all [rabid domestic] animals (229 cats and 78 dogs) were infected via spillover with the predicted terrestrial variant of the rabies virus, i.e., the variant maintained by and circulated in the dominant terrestrial reservoir species in the geographic location where the infection occurred.”⁹⁰ Consequently, “...feral cats may form an interface between wildlife reservoirs and humans.”⁹¹

TNR can remove much of the opportunity for rabies to be transmitted from raccoons to feral cats and then to humans by having the cats vaccinated against the virus at the time of neutering. Vaccination of a large percentage of the feral cats in a given location may then create a barrier species for transmission of the virus from raccoons to humans:

“By keeping a critical mass (usually 80 percent) of feral cats vaccinated against rabies in managed colonies, a herd immunity effect may be produced, potentially providing a barrier between wildlife and humans and preventing one of the major public health threats caused by feral cats.”⁹²

Using TNR to rabies-vaccinate the feral population also makes sense when the lack of suitable alternatives to remove the public health threat is considered. As discussed earlier, eradication of the feral population is not feasible. Trapping and removing a portion of the population results only in turnover, not diminishing numbers, and leaves the feral cat population unvaccinated and susceptible to rabies infection from raccoons. Doing nothing also leaves the ferals unvaccinated and fails to lessen the risk of rabies transmission from wildlife to cats to humans. A managed colony approach, where the cats are vaccinated, monitored on a regular basis and gradually diminish in number, is far more effective in removing the rabies threat.

Supporting the view that vaccinating the feral population can create a barrier against rabies for humans is past experience with domestic dogs. “[A]nimal control and vaccination programs begun in the 1940’s have practically eliminated domestic dogs as reservoirs of rabies in the United States.”⁹³ While feral cats may not be a reservoir for rabies to the same magnitude that domestic dogs once were, widespread implementation of TNR could eliminate even the possibility of that happening. This is a matter of great significance as, “A single incident involving a case of rabies in a companion species can result in large expenditures in dollars and public health efforts to ensure that human disease does not occur.”⁹⁴

The hands-on practice of TNR entails close interaction between feral cats and humans during the initial phase of trapping and neutering, potentially creating opportunities for bites and rabies transmission. Access to TNR services should, as a result, be conditioned upon training in safe

⁸⁹ Ibid.

⁹⁰ Id.

⁹¹ Levy, p. 385.

⁹² Slater, p. 32.

⁹³ Krebs, J., Noll, H., Rupprecht, C., Childs, J., “Rabies surveillance in the United States during 2001,”

Journal of the American Veterinary Medical Association 221(12):1690-1701 (2002): see www.cdc.gov.

⁹⁴ Ibid.

handling techniques.

5.2.2 Other zoonotic diseases

A common misconception is that feral cats pose a health hazard through risk of transmission of other zoonotic diseases besides rabies. Available evidence indicates this is not true. For example, the 8000 acre campus of Stanford University is home to one of the oldest TNR programs in the country. The university-approved, but privately funded and operated program began operation in 1989.⁹⁵ Subsequently, when a graduate student complained that the cats presented a health risk, campus administration took up the issue.⁹⁶ The Environmental Health & Safety Department of the university, in consultation with the Santa Clara County Health Department, “determined that there is a general consensus that feral cats pose little health and safety risk to individuals on campus.”⁹⁷ The Stanford TNR program continues to the present date, claiming reduction of the feral population from a total of 1500 cats at inception to 200 currently.⁹⁸

A transmissible disease often associated with cats is toxoplasmosis which is caused by a common parasite (toxoplasma) probably already found in more than 60 million people in the United States.⁹⁹ Very few people display symptoms, but infection can be serious in pregnant women and those with compromised immune systems.¹⁰⁰ The parasite can be transmitted through the accidental ingestion of contaminated cat feces, but infection is more commonly the result of eating or handling raw meat, or gardening.¹⁰¹ A study conducted in Norway found that living in a neighborhood with cats is not by itself a risk factor for contracting toxoplasmosis.¹⁰²

Additionally, a study done by the USDA observing individuals over a 10 year period revealed that there were no significant increases in the incidences of toxoplasmosis for those individuals. This same period of time however has seen a significant increase in the number of communities doing TNR.

Plague can be transmitted by feral cats who catch the disease from infected fleas, but this concern appears to be geographically limited to the southwestern United States.¹⁰³ In these regions, flea control and care in handling feral cats with symptoms of pneumonia is

⁹⁵ <http://www.stanford.edu/group/CATNET/about.html>

⁹⁶ Correspondence from Carole Miller, co-founder of Stanford Cat Network, April 29, 2002.

⁹⁷ Letter from Gary W. Morrow, Biosafety Officer and General Safety Manager, Environmental Health and Safety Dept., Stanford University, Nov. 24, 1992.

⁹⁸ <http://www.stanford.edu/group/CATNET/about.html>

⁹⁹ www.cdc.gov/healthypets/animals/cats.htm

¹⁰⁰ Ibid.

¹⁰¹ Id.

¹⁰² Slater, p. 33, citing Kapperud, G., et.al., “Risk factors for *Toxoplasma gondii* infection in pregnancy; Results of a prospective case-control study in Norway,” *American Journal of Epidemiology* 144: 405-412, (1996).

¹⁰³ Slater, p. 33.

recommended.¹⁰⁴ Here in McHenry County colony managers are instructed on how to reduce the risks of flea infiltration within their colonies.

“Cat scratch fever,” caused by the bartonella bacteria, is relatively common, although it is not clear the risk factor is any higher with the feral cat population as compared to the domestic cat.¹⁰⁵ Given ferals’ wariness towards humans and their tendency to keep a distance, presumably the risk factor is lower for them.

Ringworm transmission requires physical contact with the cat and is most likely to be a problem only for caretakers fostering injured or ill feral adults, or fostering kittens.¹⁰⁶ Transmission of roundworms to humans is another health risk mentioned in the literature, but is not unique to feral as opposed to domestic cats.¹⁰⁷

When TNR succeeds in lowering free-roaming cat populations – which no other method has been shown to accomplish – then whatever risk exists of transmission of these diseases is lowered as well.

5.2.3 Rat abatement

The rat problem in most urban areas is chronic and growing. For example, according to recent statistics from the New York City Department of Health, complaints in that city about rats have risen 40% in the past two years.¹⁰⁸ Complaints continued to rise in the past year despite significantly increased efforts at inspections and exterminations.¹⁰⁹

The usefulness of feral cats in controlling rat populations is well documented. Roger Tabor, in his studies of London street cats, noted that one particularly adept tabby female was recorded as having caught 12,480 rats over a six year span (an average of 5 to 6 per day.)¹¹⁰ Farmers and stable owners have long employed feral cats for rodent control.¹¹¹ Thomas Gecewicz, while serving as Director of Health for the city of Fall River, Massachusetts, found that a TNR’ed colony of feral cats at a local landfill resulted in a cost savings for rodent control.¹¹² In Pennsylvania’s Longwood Gardens, feral cats “are part of the integrated pest management control program to protect certain plant life from damage by small rodents.”¹¹³ One researcher, Paul Leyhausen, suggests that in urban environments where food sources such as garbage and rats cannot be permanently removed, “the feral cat population serves a very useful

¹⁰⁴ Ibid.

¹⁰⁵ Id.; www.cdc.gov/healthypets/animals/cats.htm

¹⁰⁶ Slater, p. 33.

¹⁰⁷ Ibid.

¹⁰⁸ “City’s scurry worry: Rat complaints up despite crackdown,” Daily News, August 16, 2004.

¹⁰⁹ Ibid.

¹¹⁰ Tabor, pp. 112-113.

¹¹¹ Slater, pp. 38-39.

¹¹² Correspondence, Thomas Gecewicz, July 16, 2004.

¹¹³ Slater, p. 39.

purpose and should rather be encouraged than fought.”¹¹⁴

The recent animal control efforts in Upper Montclair, NJ provides an important lesson in feral cat management. Dr. George Cameron, a veterinarian in Upper Montclair relates the details of recent animal control efforts to eradicate the feral cat population only to find that upon eradication the local rodent population has exploded. According to Dr. Cameron, efforts to reintroduce feral cats in Upper Montclair are currently underway. Some researchers believe the Black Death during the Middle Ages in Europe was exacerbated when the disease was blamed on witches and their feline companions, causing cats to be exterminated and thereby reducing a significant control on the transmission of the disease from flea-infested rats.¹¹⁵

TNR allows the cats to remain in the environment and continue to provide no-cost rat control, while at the same time stemming future population growth and curbing nuisance behavior such as noise and odor.

5.3 TNR Liability

Nationally to date, there has not been any cases brought up in any US courtrooms against government bodies allowing TNR, it still however is a factor that holds communities back from legalizing TNR. Fortunately, our state legislators, Republicans and Democrats alike understand TNR is essential to ending cat overpopulation in the state of Illinois. They also realize that liability is a very important part of acceptance of the practice for cities, townships and counties.

In 2005 HB0315 Animal Population Control Act was introduced. The bill creates the Illinois Public Health and Safety Animal Population Control Act. It requires the Department of Public Health to develop and administer a program of reimbursements to veterinarians for the sterilization and rabies vaccination of the dogs and cats of low-income owners and feral cat colony caretakers as well as much more. Key to this bill in regards to TNR is Sec. 35. Liability. This part of the bill clearly gives immunity to municipalities that allow TNR.

Sec. 35. Liability.

(a) Any municipality or political subdivision allowing feral cat colonies and trap, sterilize, and return programs to help control cat overpopulation shall be immune from criminal liability and shall not be civilly liable, except for willful and wanton misconduct, for damages that may result from a feral cat.

Without a TNR ordinance McHenry County will not be immune from criminal liability.

¹¹⁴ Berkeley, p. 122.

¹¹⁵ Clifton, Merritt, “Where cats belong – and where they don’t,” ANIMAL PEOPLE, June 2003.

6 TNR has the Growing Support of Public Health Officials, Academics, Animal Control Officers and Animal Welfare Organizations

McHenry County has been fortunate that the MCAC Advisory Board and county animal welfare organizations have taken the initiative and helped developed a workable pilot TNR program. In an agreement between MCAC and Animal Outreach and Helping Paws, feral cats in the program are ear-tipped and readily identifiable by colony managers. If picked up by a county animal control officer, the medical history, including vaccination history, of any cat in the program can be identified and its caretaker alerted so that the cat can be redeemed. No longer will these animals be a financial drain on the county.

Thomas Gecewicz, who in addition to his service in Fall River also served as the Director of Public Health in Bridgeport, Connecticut from 2000 through 2004, writes: “I can unequivocally state that I, as a public health official, do openly endorse any and all trap, spay, and neuter programs as a public health benefit and cost savings to any community to which it is offered.”¹¹⁶ Dr. Jonathan Weisbuch, M.D., the Chief Medical Officer for Maricopa County, states, “The effectiveness of TNR has been demonstrated by the Maricopa County Animal Care and Control Agency in resolving a complex problem of feral cats overpopulating the streets and alleys of 24 of the most populated cities and towns in Arizona. The program has reduced the number of strays, diminished the number of kittens and resulted in a managed community of felines that no longer stimulate the number of community complaints that were common prior to our initiating the program.”¹¹⁷ Ron Cash, Director of Health for Atlantic City, New Jersey, has also found TNR to be a useful public health tool: “We serve a population of approximately 35 million people who visit this community every year. I need to operate a safe city for the tourists of Atlantic City. When we went shopping for a solution to the feral cat concerns in our community, we found TNR. TNR works.”¹¹⁸

Dr. Slater concludes, “In communities where basic services are already available, support for feral cat caretakers (including education) and evaluation of options besides ‘wait and see’ or trap and euthanize should be seriously considered as long-term investments.”¹¹⁹ Likewise, Dr. Levy states, “TNR has emerged as one viable alternative for non-lethal cat control capable of reducing cat populations over the long term.”¹²⁰ Dr. James Ross, DVM, a Distinguished Professor at Tufts University, concurs: “My experience with feral cat control using the trap, neuter, release (TNR) method in the British Virgin Islands has been very positive.

¹¹⁶ Correspondence, Thomas Gecewicz, July 16, 2004. Mr. Gecewicz also served as Director of Health in Braintree, Mass., from 1977 through 1990, and as Executive Health Officer in Braintree from 1996 through 1999.

¹¹⁷ Correspondence, Jonathan Weisbuch, July 16, 2004.

¹¹⁸ “The Humane Solution: Reducing Feral Cat Populations with Trap Neuter Return” [video], Alley Cat Allies, 2001.

¹¹⁹ Slater, p. 76.

¹²⁰ Levy, p. 387.

It is a humane way to control the feral cat population. I endorse it in most of the ecosystems I've experienced.... I trust you will find it as useful as I and others have."¹²¹

Ed Boks, current executive director of Animal Care & Control of New York City and former head of Maricopa County Animal Care & Control, is an enthusiastic supporter of TNR. Mr. Boks has stated that TNR is, "the only viable, non-lethal, humane and cost effective solution to our communities' feral cat problem...."¹²² In Dallas, Texas, Kent Robertson, manager of Dallas Animal Services, fully endorses TNR and works with local feral cat groups to implement the method: "TNR is much better than killing cats! I hate doing that, but I didn't know what else to do."¹²³ In Seattle, Don Jordan, executive director of the Seattle Animal Shelter, has also turned his animal control agency towards TNR. "Based on the studies out there, we have to take a more active role in helping to manage feral cats. Communities must recognize that there is value in getting populations fixed and stable. This problem is not going to go away unless we all become involved."¹²⁴

The ASPCA, a powerful force for animal welfare and one of the nation's oldest and most respected animal organizations, promoted TNR in a cover story for the Fall 2003 edition of its magazine, *Animal Watch*¹²⁵ and runs its own thriving TNR program in New York City.¹²⁶

¹²¹ Correspondence, James Ross, July 16, 2004.

¹²² AC&C Newsletter, April 2004, Vol. 1, Issue 2, p. 5.

¹²³ Alley Cat Action, Summer 2004, p. 5.

¹²⁴ Id. at p. 6.

¹²⁵ Commings, Karen, "TNR: The Humane Alternative," ASPCA Animal Watch (Fall 2003).

¹²⁶ See www.aspc.org/tnr

7 Conclusion

A feral and stray cat overpopulation crisis is now underway in our community, resulting in overcrowded shelters, high euthanasia rates, quality of life complaints and financial burdens. The methods of the past – a mixture of trap-and-kill and doing nothing – have had no impact. Even if the resources were available for animal control to attempt a wholesale removal of the cats, which they're not, the effort would fail due to feral population dynamics and public opposition. Trap-Neuter-Return alone holds out the possibility of turning the crisis around, stemming the flood of homeless cats into shelters, lowering costs and resolving complaints.

The results of the TNR pilot program over the last 18 months speak for themselves. This program, made possible through a public-private initiative, is working in McHenry County. Over 2000 cats have been positively affected by this program, 2000 cats that could have burdened the already over-burdened county shelter. While accomplishing this, no complaints have come into Animal Control about feral cat colonies. If the County Board votes "YES" to continue TNR in McHenry County, public health will continue to be protected, shelter euthanasia will further decrease, shelter resources will be preserved, and the feral cats of McHenry County and their caretakers will have an effective and compassionate program for feral feline population control, all without county funding.

8 Appendix A: ASPCA Statement on Trap-Neuter-Return

The ASPCA supports Trap-Neuter-Return (TNR) as the most humane and effective strategy for managing the feral cat population. The ASPCA Cares program, launched in 2001, operates mobile spay/neuter vans that serve pet owners, shelters and rescuers in New York City's five boroughs. In 2003, over 1,600 feral cats were spayed/neutered as part of the ASPCA Cares TNR initiatives. In addition to providing free surgeries for feral cats, ASPCA Cares ensures that all cats are vaccinated against rabies at the time of surgery, and ear-tipped to clearly identify their status as sterile, healthy cats. The program also maintains a bank of humane traps, which are loaned to rescuers at no charge. Hundreds of local feral cat caretakers have been trained to practice TNR in feral cat workshops taught by Neighborhood Cats Inc. at the ASPCA headquarters. In addition, ASPCA Cares has augmented this training with on-going workshops in feral kitten socialization to help rescuers socialize and re-home the offspring of feral cats. This facilitates the reduction in size of feral colonies.

TNR is an integral part of the ASPCA's long-term strategy to end the euthanasia of adoptable animals in New York City. It is our goal to increase the number of cats spayed/neutered via our mobile clinics by the end of 2004 and to continue promotion of TNR with hands-on assistance. This will include on-going participation in large-scale collaborative projects such as the successful spay/neuter of 250 cats living at the city's correctional facility on Rikers Island in 2002, among others.

August 12, 2004

9 Appendix B: AVAR Position Statement On Feral Cats And Trap-Neuter- Return (TNR)

The feral overpopulation crisis is a primary concern for the Association of Veterinarians for Animal Rights (AVAR). There are an estimated 40 to 60 million feral cats roaming the streets in this country alone. They account for more than half of all intakes and euthanizations in our nation's animal shelters. The veterinary profession has a vital role to play in solving the nation's animal overpopulation problems. Feral cat management can be accomplished through surgical or other means of sterilization, as well as through public education with the aim of reducing the number of cats abandoned and left to reproduce in the wild.

Taking into account the rights and needs of individual feral cats, as well as the population as a whole, AVAR supports trap-neuter-return (TNR) programs as the most humane way to manage and work toward reducing the numbers of feral cats.

The traditional method of trapping and killing cats that has been in place in many communities for decades is not only inhumane, it is ineffective. Research has shown that new cats simply move in to take advantage of the food source when cats have been removed.

Trap-neuter-return programs, which should always be coordinated with a responsible feral cat colony caregiver, offer individual feral cats the most humane option for surviving in their environment. Once the cats are surgically sterilized, they suffer fewer fight wounds, no pregnancy complications and, in general are healthier than unsterilized cats in unmanaged colonies. Additionally, long-term scientific studies have shown that TNR programs can stabilize and substantially reduce the numbers of feral cats in a colony, particularly when combined with adoption programs for any kittens found in the area. (e.g. "Evaluation of the effect of a long-term trap-neuter-return and adoption program on a free-roaming cat population," *JAVMA*, Vol 222, No.1, January 1, 2003; "A Model for Humane Reduction of Feral Cat Populations," *California Veterinarian*, September/October 1999.)

AVAR recognizes that feral cats, and all free-roaming cats for that matter, can present a threat to some wildlife. Of particular concern are areas where wildlife species are endangered and the environment is compromised. As a result, AVAR supports TNR programs that relocate feral cats into geographic areas that are not protected for endangered species. AVAR also encourages feral cat caregivers, whenever possible, to relocate feral cat colonies to areas which provide a safe environment for the cats.

10 Appendix C: Gene E. Mueller, DVM, President, Anti-Cruelty Society, Letter to Editor – Chicago Tribune, Published October 11, 2005

Chicago -- I thank the Tribune for reporting on an important issue ("Warning told about feral cat hazard," Metro, Oct. 5) concerning animals and public health. The expressed concern of Milton McAllister, of the College of Veterinary Medicine at University of Illinois at Urbana-Champaign, about a zoonotic disease, toxoplasmosis, and feral cats is enlightening. We should be doing all we can to reduce free-roaming cats in McHenry County and elsewhere. Where we may disagree is how to do it. Obviously trapping and destroying would stop animals from reproducing. But this strategy has been employed for literally decades, including in McHenry County, with little apparent success evident (i.e. the problem still exists).

Other priorities (dogs) and a lack of funding have hindered animal-control agencies from addressing free-roaming cats in any systematic manner. What has changed? Nothing. If we are so concerned about zoonotic disease, why not actively do something that reduces the number of free-roaming cats?

Trap, neuter and return takes the free-roaming cats that exist now in our neighborhoods, provides veterinary exams, sterilizes and vaccinates them, and returns them back to their original site with no government expense. It is not a panacea and it is not appropriate for every site. But every such sterilized cat is a step forward, for they will have no kittens ever. This activity is wholly supported (philosophically, physically and monetarily) by animal advocates in many areas, including McHenry County. It reduces the population of free-roaming cats, which is to McAllister's point.

Productive toxoplasmosis prevention includes health education about cooking meats appropriately, wearing gloves while gardening and appropriate animal husbandry for pregnant women. Doing nothing but lamenting free-roaming cats is bad public health policy.