

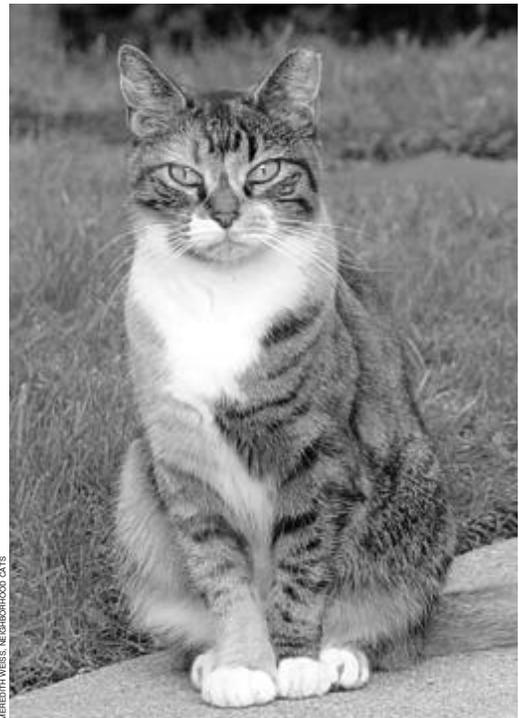
Implementing a Community Trap-Neuter-Return Program



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**THE HUMANE SOCIETY
OF THE UNITED STATES**

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MEREDITH WEISS, NEIGHBORHOOD CATS

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Introduction



MEREDITH WEISS, NEIGHBORHOOD CATS

FERAL CATS ARE PRESENT IN ALMOST EVERY community in North America, and managing them has become a challenge for a growing number of municipalities and animal welfare organizations. Feral cats originate primarily from lost or abandoned pet cats who have not been sterilized. Left on their own, the cats and their offspring tend to live in groups known as colonies. They are not completely wild because they continue to rely on people for their food source and usually find shelter among human habitations and structures.

Left unaddressed, feral cats can create significant challenges to the animal welfare system and to the community at large. Unchecked reproduction can result in the euthanasia of cats and kittens crowding local shelters, the trapping of adults, and subsequent increases in animal control costs. From a quality of life standpoint, complaints from residents include the loud noise from cats fighting and mating, the pungent odor of unneutered males spraying urine to mark their territory, the disturbing presence of sick and dying cats, predation on birds and other wildlife, and the unwanted intrusion of the cats on private and public property.

Trying to resolve these problems by removing the cats from the environment may seem simple at first glance—no cats, no problems. However, attempts to eradicate ferals are rarely effective for a variety of reasons. Primarily, any effort to control feral populations

requires the cooperation of the people who feed and care for them. The cats' caretakers will most likely not support, and will often try to thwart, a program that almost certainly means euthanasia for the cats under their care. Another reason weighing against eradication is the sheer number of feral cats in any given community. Animal control resources needed to capture a meaningful percentage of cats rarely exist.

Removal efforts are also hindered by feral cat population dynamics. Feral cats are present at a given location because the habitat provides sufficient food and shelter for their subsistence. Removing one colony of cats creates an opportunity for neighboring colonies to move into the vacated territory and take advantage of the now unutilized food and shelter. In addition, if all the cats in a colony are not trapped, the ones left behind face less competition for the food and shelter offered by the habitat and survival rates may rise. Trap-and-remove efforts rarely include postremoval monitoring to prevent a resurgence in the cat population—another reason for the method's failure.

With eradication attempts, the original cause for the situation—lost or abandoned cats—continues unabated and provides a constant supply of future ferals. In addition, free-roaming and unaltered pet cats are not addressed by removal efforts and may continue to be a source for more feral cats.

In response to the historical failure of eradication policies, a promising new approach to managing feral cat populations—Trap-Neuter-Return (TNR)—gained popularity in the United States in the 1990s. At a minimum, TNR entails that feral cats in a colony are trapped, spayed or neutered, vaccinated for rabies, eartipped to mark them as altered, and then returned to their original territory, provided they do not face imminent risks. Following their release, a caretaker provides food and shelter and monitors for new arrivals. Whenever possible, tame adults

and kittens who can be readily socialized are removed from the colonies and evaluated for adoption. Animals whose suffering cannot be alleviated are euthanized.

Neutering a sufficient percentage of the cats breaks the reproductive cycle, and the combination of sterilization, adoption, and attrition can gradually lead to a reduced population. In addition, nuisance behaviors decrease substantially with TNR. Noise from feral cats, including yowling and fighting, is largely attributable to mating behavior. Mating behavior is obviously eliminated with sterilization. The strong odor associated with feral cats comes from testosterone in the urine of unaltered male cats. Neutering eliminates that odor. Altered cats also roam much less, causing them to be less visible. With TNR, these gains are protected by the ongoing presence of a caretaker who can watch for new cats and maintain the health and well-being of the existing colony to the best degree possible. Long-term monitoring by a caretaker is one of TNR's key advantages. The caretaker can also help resolve community issues, such as by keeping cats out of certain areas.

When TNR is practiced throughout a community, the benefits can be dramatic. In 2002, Neighborhood Cats and a coalition of local animal organizations implemented TNR on Rikers Island in Queens, New York—the largest jail in the country with more than 400 acres of land. Nearly 300 cats in approximately 20 colonies were trapped over the course of several months, and a long-term monitoring and feeding system was put in place. Adoption led to an immediate 20-percent drop in the number of cats. Thereafter, no more than a handful of litters have been found each year, and attrition has lowered the overall numbers to approximately half of the original population. In Newburyport, Massachusetts, a TNR project led by the Merrimack River Feline Rescue Society began in 1992 with 300 cats living on the waterfront

of the coastal town. Twelve years later, only 17 cats remained. In West Valley, Utah, a community TNR program led by No More Homeless Pets in Utah was implemented between March 2004 and February 2005, resulting in the TNR of more than 500 cats. During this period, the West Valley City Shelter experienced a 27-percent drop in cat intake rates and a 34-percent drop in cat euthanasias (compared to statewide decreases of three percent in cat intakes and five percent in cat euthanasias) (see Appendix A of this manual).

The key to success on the community level is proper implementation. When faced with large numbers of cats spread out over a wide area, it is not enough to urge caretakers to trap the cats, take them to a veterinarian, and have them altered. Operating on a large scale requires attention to issues such

as effective collaboration, creating and sustaining municipal relationships, allocating limited resources, fund-raising, data collection, training, equipment, liability concerns, and more.

The purpose of this guide is to address these issues and offer practical suggestions for resolving them. Because every community is unique and faces its own challenges, there is no “one size fits all” plan. But there are certain policies and procedures that will greatly help a communitywide TNR program reach its goals. As your program moves forward and you discover what works best for you, you will undoubtedly find ways to adapt and adjust the advice given here. Ultimately, the goal is to get the cats sterilized and properly cared for in the most expeditious and cost-effective manner possible.

1

CHAPTER

The Need for Collaboration



VOICES FOR ANIMALS, CHARLOTTESVILLE, VA

TNR as a Cooperative Effort

FOR LONG-TERM SUCCESS, TNR MUST BE A collaborative effort. This is true even if the focus of the work is only a single colony. The cooperation of the caretaker is required to facilitate the trapping and provide long-term oversight. A veterinarian is needed to perform the spay/neuter surgeries. For the cats' long-term security, the owner of the property where the cats reside must agree to the project and neighbors need to understand and accept what is being done. The municipality may also play a role in determining whether a managed colony will be permitted.

Collaboration is especially important when TNR is practiced on a communitywide scale. When the goal is to sterilize and manage hundreds or possibly thousands of feral cats, no organization or individual will be capable of doing it alone. Members of the local animal welfare community, including shelters, rescue groups, veterinarians, and colony caretakers, must work together to perform the actual trapping and surgeries. In addition, for the work to be legal and sustained, the municipality—including animal control officers, public health officials, and elected officials such as council members or the mayor—needs to be a partner in the effort. Community residents should be educated and consulted so they do not resist or resent the process.

Within the animal welfare community, each organization must be free to choose the role it wants to play and what resources to commit. The group or individual leading the collaboration can then put these pieces together to create a comprehensive community-wide program. The TNR system in New York City illustrates this kind of collaboration. Neighborhood Cats holds regular workshops for caretakers interested in using TNR. Trained caretakers can then take advantage of services offered by members of the New York City Feral Cat Council (www.nycferalcat.org), including free spay/neuter by the ASPCA and the Humane Society of New York, trap banks run by local shelters, and volunteer assistance from feral cat groups. Neighborhood Cats, in its current role as administrator of the New York City Feral Cat Initiative, a program of the Mayor's Alliance for NYC's Animals, helps match caretakers and services and coordinates the system as a whole. In addition, Animal Care and Control of New York City plays a supportive role in the TNR effort by providing notification to caretakers of eartipped cats turned into city shelters and by referring feral-cat-related calls to the city's TNR program for assistance. These combined resources make a citywide TNR effort in a large urban area possible.

In smaller communities, collaboration is also critical. A local shelter may decide to provide program training, equipment, and coordination. Local veterinarians are needed to offer discount spay/neuter surgeries for feral cats. Colony caretakers need to trap cats and work efficiently with the shelter and veterinarians. Rescue groups may help by taking in kittens and friendly adults. The municipality could support the program by ensuring its legality and providing access to public spaces for trappers and caretakers.

The key to building and sustaining any communitywide collaboration is respecting the choices each organization and individual makes regarding their role and commitment

of resources. No matter how large the organization, it may face budgetary, time, and policy constraints. Adding a new program may, at least initially, be difficult. Avoiding expectations about what any group or individual "should" offer will help build an atmosphere of cooperation. As a rule, you should gratefully accept whatever is offered and keep the dialogue open. Look for ways to get organizations and veterinarians involved that will be relatively easy for them at first. For example, providing space for workshops may be a good first step for a large organization that is interested in TNR but not yet fully comfortable with it. Asking veterinarians for only one or two discount spay/neuter surgeries a week might get them on board. A resolution by the town council in favor of TNR might be more realistic than a large municipal grant.

In the beginning, the goal is to get organizations and individuals to participate in the program and work together smoothly. Once the actual TNR work is underway, success will breed the desire for further participation and, over time, may lead to further commitment of resources.

Forms of Collaboration

One way to formalize a communitywide collaboration is by creating a coalition or council of interested organizations and individuals. The New York City Feral Cat Council consists of all local organizations with feral-cat-related programs. Quarterly meetings provide a forum for the exchange of ideas and information and the formation of overall policy. One result has been the dissemination of general guidelines for the practice of TNR, helping to create standards of practice for how the work should be done (see www.nycferalcat.org/guidelines.htm). By listing all TNR services offered by council members, the council's website makes it easy

for the public to find out who is offering what and how to contact them.

Collaboration can also be informal, with involved groups and individuals communicating and consulting with one another on strategy and best practices. This can work well in situations involving a relatively small number of parties. As the program becomes larger in terms of participants and geographical area covered, a more formal structure may become necessary.

Whether collaboration is formal or informal, it is important that a designated lead group or individual handle the everyday aspects of managing the program. Unless it is clear who has this responsibility and is accountable for accomplishing basic tasks, the effort could falter. Regularly scheduled meetings for program participants are also necessary to maintain involvement and give opportunities for input.

Another form of collaboration is contractual, such as a contract between a feral cat organization and the municipality for implementing TNR in the community. If the agency running the TNR program already has a municipal contract for animal control responsibilities, additional funding under the agreement could be sought to implement TNR. If the program is run by a feral cat nonprofit organization, a contract for performing TNR exclusively could be sought. The concept of municipal funding for TNR is still relatively new, but it may grow in popularity as TNR is increasingly recognized as an effective animal control technique.

Working with Municipal Officials

Collaboration with a municipality or its animal care and control agents in a TNR program requires sensitivity to their unique needs, jobs, and perspectives. It is important to keep in mind that these agencies have a dual mandate by the local or state government:

to protect both the public *and* animals by enforcing animal care ordinances. Their interest in TNR may lie in its ability to permanently reduce the feral cat population and lower nuisance complaints. The best way to gain and keep municipal support may be by focusing on these goals when initially proposing a TNR program and then documenting progress on them once the program is underway.

If the municipality provides any funding for the program, it is essential to keep detailed and accurate financial records and submit regular reports on how the money is being spent. For continued funding, program expenses must be restricted to work directly related to TNR. It would be a mistake, for example, to spend a substantial portion of municipal funds on boarding adoptable cats while awaiting permanent placements for them. Helping cats find good homes is not why the municipality decided to try TNR. Instead, officials want to see tax dollars spent on getting the feral population sterilized as quickly as possible. This improves the life of the ferals and allows animal care and control to focus its efforts on helping adoptable homeless animals and caring for injured and abused animals.

When working with municipal or animal control agency officials for the first time, you may have to accept a certain amount of skepticism on their part and an initial unwillingness to buy into the program. Officials may realize they need a new solution to a growing feral cat problem, but they may not be convinced that TNR is the solution. In these situations, it is critical for the TNR program to get a foot in the door and start working. You should try to negotiate terms as favorable as possible to the program, but avoid demanding everything or taking an all-or-nothing approach. Confrontation will only make the municipality more wary, not less. If you are unable to access all the public sites you want, or if the town will only grant a

one-time—instead of permanent—exemption to an existing law that disallows TNR, then accept the lesser conditions and get started. Nothing will build confidence and eventually open more doors than demonstrated success on the ground.

Working with Wildlife Officials and Agencies

Predation by feral cats on wildlife has been a concern that has slowed the growth of TNR in the United States since introduction of the method on a large scale in the early 1990s. The issue has been divisive. Wildlife advocates claim that feral cats have a substantial detrimental impact on wildlife and TNR perpetuates this ill effect. Feral cat activists have accused wildlife advocates of exaggeration and making feral cats the scapegoat for other more harmful influences on wildlife, such as habitat destruction by humans. Whereas the wildlife groups have argued that TNR should not be allowed anywhere, feral cat groups have countered that it should be permitted everywhere.

The “cats versus birds” debate has not served either side well. It obscures the fact that both parties share a strong common goal—fewer feral cats. But instead of fostering discussion on the most effective means of attaining this goal, the debate has been ruled by rhetoric and propaganda from both sides. The time has come to move beyond this debate toward a more collaborative approach that respects all parties’ interests and seeks practical solutions.

When predation by feral cats is an issue, the first step for all the groups involved is to talk to one another. Once a dialogue is underway, the unique circumstances of each wildlife situation should be closely examined. Is the concern for an endangered species vulnerable to cat attacks or a more common “backyard” species? Is the area in which the prey species lives relatively small and discrete,

or is the habitat fairly extensive? Are the number of cats and colonies involved small or large? If a proactive approach to reducing the risk of cat predation is desired, then what resources are realistically available to try to protect the species in question? Is there a need for some type of permanent monitoring of the habitat to watch for new cats? If so, who would do this?

The answers to these questions and more will point toward a solution in each situation that best protects the lives of wild animals while respecting the value of feral cats’ lives as well. For example, if the species in question is an endangered ground-nesting bird, the habitat involved is small, and the number of cats present is relatively small, then relocation of the cats followed by long-term monitoring of the habitat may be possible.

At the tip of the peninsula that makes up Stone Harbor, New Jersey, is a sanctuary for piping plovers, an endangered bird species. Plovers nest on the ground and their newly hatched chicks are particularly vulnerable to cat predation. An unmanaged feral cat colony lived in the sanctuary for many years, posing a constant threat.

When wildlife officials proposed a campaign to trap and remove the cats, a public confrontation played out along the lines of the usual “cats versus birds” debate. Fortunately, cooler heads prevailed and a dialogue was begun to find a mutually acceptable approach. What resulted was an ordinance passed by Stone Harbor that banned the maintenance of feral cats in the bird sanctuary and in a buffer zone around it but authorized the practice of TNR everywhere else in the borough (Appendix B). TNR workers were then allowed to trap the ferals in the prohibited zone and relocate them to more suitable parts of town.

The overall program in Stone Harbor helped prevent the “vacuum effect” that often occurs when cats are removed from an area and new cats move in to take advantage of

the available food and shelter. Sterilization and management of the ferals in the rest of the borough, combined with the buffer zone, eliminated migration from other feral colonies into the sanctuary. Local caretakers cooperated by no longer placing food for cats in the sanctuary, thereby altering the habitat to prevent future colonies from forming. In addition, the presence of the program meant that if new cats did appear, perhaps as a result of abandonment, someone was there to aid in their quick removal. In the end, collaboration won the day, and both the cats and plovers were protected.

In other circumstances, an effort to trap and remove feral cats might not be feasible, and TNR might be the best tool available. For example, trap and remove will likely fail if the habitat covers dozens of acres, the number of cats in the habitat outstrips the ability of wildlife officials to trap and remove them, and there is a constant stream of newly abandoned cats who would negate any removal effort. In this situation, a large-

scale TNR project—halting reproduction and providing long-term monitoring by volunteers—may be the most effective way to gradually reduce the number of cats. One wildlife protection and feral cat joint effort that has used TNR successfully is Project Bay Cat, a collaboration in Foster City, California, between the city, Sequoia Audubon Society, and the feral cat group Homeless Cat Network. The collaborators have created a Homeless and Feral Cat Population Control Tool Kit for communities facing similar situations. It is available at no cost by e-mailing the group through its website at www.homelesscatnetwork.com.

Because no one formula will universally apply to all situations involving feral cats, the need for dialogue and collaboration is critical. While it can be difficult for groups with seemingly competing interests to work together and build trust, it *can* be done by keeping common goals in mind and searching for effective, nonlethal solutions.

2

CHAPTER

Defining the Program's Mission



MEREDITH WEISS, NEIGHBORHOOD CATS

The Mission

FROM THE OUTSET, A TNR PROGRAM NEEDS TO carefully define its mission. What is the purpose of the program? What is the ultimate desired outcome? Ideally, the purpose and goals of the program should be written in a mission statement. Clearly defined goals are important because they serve as guidelines for all future policy decisions. When presented with a choice of how to proceed, the question will be whether a certain proposed course of action substantially furthers the program's mission. If the answer is yes and the resources are available, then it makes sense to go ahead with it. If the proposed action does not further the mission or is only tangential, it should be rejected. A mission statement should also include the chosen methods by which the desired outcome is to be achieved.

An example of a clear mission statement is provided by the Burlington County Feral Cat Initiative (www.njferals.org):

Burlington County Feral Cat Initiative (BCCI) is a public-private animal control program designed to protect the public health, reduce shelter euthanasia, preserve scarce shelter resources, and solve our community's severe feral and stray cat overpopulation crisis through the use of Trap-Neuter-Return, popularly known as TNR.

BCCI's goals include not only reducing feral cat overpopulation, but also protecting public health, reducing shelter euthanasia, and preserving shelter resources. The means of accomplishing these goals is specified as the use of TNR.

Spay and Stay (www.spayandstay.org) operates in Lake County, Illinois, and states its mission as follows:

Spay and Stay is a non-profit organization dedicated to working with compassionate individuals and local governments to humanely control the growth of the feral cat population in Lake County, IL.

Spay and Stay is also committed to implementing long-term solutions to significantly reduce the population of unaltered, free-roaming and/or abandoned domestic cats in our area.



Spay and Stay uses a humane technique called Trap-Neuter-Return, often simply called TNR.

The mission statement makes it plain that the purpose of Spay and Stay is to stop the growth of the feral cat population in Lake County, Illinois, through the use of TNR.

In general, a TNR program can be defined to include the following elements.

Permanent Reduction of the Local Feral Cat Population Through the Use of TNR

In short, fewer feral cats is the aim. Note that the goal is not to indefinitely maintain feral cats in the environment, but to eventually

eliminate them or at least keep their numbers as low as realistically possible. Implied in this goal is the assumption that cats are domesticated animals and belong in human homes, not fending for themselves on the streets. While the feral cats who are already out there deserve to be cared for, TNR is all about preventing future generations of felines from being homeless.

The ability of TNR to achieve population decline is often what makes it attractive to municipal officials and legislators. These officials tend to view feral cats as a problem and, for the most part, would prefer if the cats were not present. Some are concerned about the welfare of the cats as well, but not all. If the TNR program makes reduction of the number of cats a primary goal, it can gain needed support.

Reduced Nuisance Complaints and Improved Public Health

Reduction in the number of complaints about nuisance behaviors should be an important part of the mission. Neutering can achieve this rapidly if a sufficient percentage of cats in a given colony or area is sterilized. Quality of life improvement, as reflected by fewer feral cat complaints, is an attractive goal for municipalities. In addition, rabies vaccination is another way that TNR provides public health protection.

Improved Quality of Life for the Cats

Regarding the cats themselves, humane treatment of the existing feral cat population should always be a primary goal. This aim satisfies the animal welfare constituency working to maintain the program as well as the individual caretakers who know and are attached to the cats. The beauty of TNR is that the goals of population decline and

nuisance reduction are not in conflict with the proper care of existing cats. Instead, they support each other. For example, reducing nuisance behaviors usually results in less community hostility and fewer potential threats toward the cats, increasing their long-term security and well-being. As another example, maintaining the health of the colony by providing regular food and shelter means someone is there to monitor the situation and trap any new cats who show up, thereby furthering the goal of population reduction.

As mentioned, keeping the mission foremost in mind at all times will help guide the program to successful results. For example, a volunteer may urge the program to take in and socialize several adolescent feral cats. This can be a time-consuming and resource-demanding process with uncertain outcomes and may draw limited resources away from efforts to get more colonies neutered. In such a case, taking in the adolescents would not significantly further population reduction, lower nuisance complaints, or improve the welfare of existing ferals and should not be pursued. On the other hand, if a mass trapping nets many young kittens who can be easily socialized and placed in homes without overly draining resources, this would further the goal of population reduction in an acceptable manner.

Steps Toward Accomplishing the Mission

In order to make progress in achieving the TNR program's ultimate mission, certain intermediate goals will often need to be met first. It is advisable to think about and write down these steps. They, too, will provide guidance for allocating resources and other strategic decisions. These intermediate goals include the following elements.

Maximizing Caretaker Participation

It is critical for a TNR program to maximize caretaker participation. Caretakers are the foot soldiers of any TNR effort, and without their widespread cooperation, the program will fail and the mission of population decline, nuisance reduction, and humane care of existing cats will not be met. They must be willing to share information, cooperate with trapping, monitor the colony over the long term, and provide food and shelter. Incentives to encourage participation—such as food giveaways or discount spay/neuter—should be offered. Practices that might alienate caretakers and discourage participation, such as imposing fines for not achieving 100-percent neutering and vaccination rates, should be avoided.

Maximizing Community Participation

TNR on a community level requires multiple resources from a variety of sources, including veterinarians, the municipality, property owners, residents who regularly encounter the cats, donors, and caretakers. Policies and practices that encourage input and contributions from all community stakeholders will strengthen the program, help educate the broader community about TNR, and make more resources available.

Efforts to maximize community participation also reinforce the notion that feral cats are a communal responsibility. Too often the lone caretaker is expected to bear the entire effort of responsibly managing the cats, including arranging the trapping, paying for veterinary care and food, and dealing with neighbor complaints. In fact, caretakers who are trying to implement TNR are performing a service that benefits the entire neighborhood. Their efforts should be supported by the community, whether

in the form of funding, discount spay/neuter, assistance with caretaking, official municipal approval, or other means.

Continuity of the TNR Program

TNR is a long-term solution and one that can be very effective—but only if the process is sustained. In Newburyport, Massachusetts, 300 feral cats lived along the coastal town's waterfront. Merrimack River Feline Rescue Society introduced a comprehensive TNR program and, 12 years later, there were only 17 cats. But the program had to last 12 years to achieve this result. It would not have been enough to go in, remove all the adoptables, sterilize the rest, and then do no more. An ongoing system was needed for monitoring the colonies for new arrivals, handling any new cats who appeared

or problem situations that arose, and providing support to the cats' caretakers.

Depending on the size of the feral population in the community, the amount of resources needed to sustain the program may decrease over time. In Newburyport, the bulk of volunteer work and funding was needed in the first year or two when all the adoptable cats were removed from the colonies and the remaining cats were sterilized and returned. In New York City, where the ferals number at least in the tens of thousands, a constant flow of resources over many years is needed. Whatever the anticipated needs will be, budgeting, fund-raising, record-keeping, and personnel decisions should be made with an eye toward maintaining an effective program that can be sustained.

3

CHAPTER



MEREDITH WEISS, NEIGHBORHOOD CATS

Local Laws and Policies

WHEN ONE CARETAKER DECIDES TO PERFORM TNR on a single colony, the question of whether local government supports the project may not arise, especially if the project is being done on private property with the property owner's consent. In contrast, a communitywide TNR effort will inevitably involve working with the local government if the program is to last and be effective.

Municipal involvement exists automatically if the shelter or organization running the TNR program has animal care and control responsibilities, either as a directly owned municipal facility or via a municipal contract. However, even if the TNR program is run by a private nonprofit with no formal municipal ties, the need to work with the local government is bound to present itself. Because TNR is a new concept and touches on a variety of municipal concerns besides animal control, approval should be sought before the program is launched. The recommended approach is to seek official approval from the outset before a communitywide TNR program is launched. A strategy that aims to first spread the practice of TNR and create grassroots support before consulting local government is fraught with danger. One regulation by the board of health could put an end overnight to years of efforts; existing laws unfavorable to TNR may subject caretakers to fines and even imprisonment and place colonies

at risk for seizure and removal. Therefore, significant efforts should be made to educate supervisory officials on the benefits of TNR and why it makes sense to implement the method in the community at large.

Acceptance by the local governing body will provide an umbrella of legal security for the program and its participants. A good working relationship between public officials and TNR activists can then be developed to provide valuable assets when the inevitable conflicts and problems arise. A letter from the mayor or a visit from a health department inspector is often all that is needed to convince a reluctant property owner to allow TNR. Animal control, if it has the city's blessing, can refer feral cat complaints to the community TNR program and provide notification to the program when eartipped cats arrive at municipal shelters. In short, a cooperative, accepting municipality can be a strong partner in advancing the goals of TNR.

Unfavorable Municipal Laws and Policies

Laws and policies that may adversely affect a TNR program exist primarily on the municipal level, as opposed to the state or federal levels. The laws of the township or city need to be researched. In some cases, the county's laws will also need to be investigated, especially if the county has a health department or animal care and control agency with jurisdiction over all the cities, towns, and villages within the county.

Municipalities create written laws, typically known as ordinances, and may also have agencies, such as a health department, which issue specific rules, called regulations, about how laws are implemented. Both ordinances and regulations have the full force of law. At this time, very few municipalities have ordinances or regulations which expressly address feral cats and TNR,

but many have laws which can indirectly have an unfavorable impact.

One potentially problematic law is a pet limit ordinance. This type of law places a ceiling on the number of animals a resident can own. The problem presented for a TNR program is the manner in which ownership is defined. In many ordinances, a person owns an animal who he or she feeds on a regular basis. Under this definition, a colony caretaker owns the feral cats being fed. If the number of these cats exceeds the allowable limit, the caretaker is in violation of the law.

If your municipality has a pet limit law, you will need to carefully examine the definition of ownership to see if it can be reasonably construed to include a colony caretaker within its scope. If it can, then you will need to seek an amendment to the ordinance—one that exempts caretakers of managed colonies within your program.

Cat licensing laws can also pose an obstacle. Licensing laws require some form of registration of the cat with the municipality, including payment of a fee and proof of a current rabies vaccination. Like pet limits, licensing laws apply to owned cats, which again raises the critical question of how ownership is defined. If feral cat caretakers fall within the definition, then failure to license each cat in the colony would be a violation. An exemption for managed colonies within the TNR program is needed.

Another kind of unfavorable law is one that bans the feeding of any animal outdoors. Typically, the only exception provided is for the feeding of birds using certain approved kinds of containers. Feeding bans can often be found within the local health code or health department regulations. The intent is to deter potentially harmful wildlife away from human habitations, such as raccoons who may be carrying rabies, deer who may be carrying ticks with Lyme disease, or rats and other rodents. By placing food outdoors for feral cats, a caretaker violates such a ban.

Once more, the best course of action is to seek an exemption for caretakers of TNR colonies. Cat-feeding restrictions may need to be negotiated so concerns over attracting wildlife are addressed. For example, if raccoons are prevalent in an area, the feeding of feral cats can be restricted whenever reasonably possible to daylight hours, since raccoons are nocturnal by nature. Or specified types of feeding containers may be prescribed in order to limit access to cat food by rodents.

Pet limits, cat licensing laws, and bans against feeding animals outdoors are the most common laws unfavorable to TNR. In a small number of municipalities, there may be anti-roaming laws against cats. These prohibit the presence of cats anywhere off the owner's property and may even require an approved outdoor enclosure. Exempting feral cats in managed colonies is necessary for a TNR program to legally go forward.

Another law present in some municipalities, such as Los Angeles County in California, requires a trapper to obtain a permit before trying to catch any cats. If the agency running the TNR program does not already have animal control responsibilities, a permit law can present an undue administrative burden if the program tries to comply or may result in illegal actions by the program if the requirement is ignored. If the agency that issues the permits is not supportive of TNR, this can compound the law's unfavorable impact. Exempting personnel and caretakers who are trained and operating within a sanctioned program is one solution.

Even in the absence of any adverse ordinances or regulations, the policies of a particular municipal agency may still create a barrier to the legal implementation of a TNR program. For example, health inspectors are usually authorized to issue a summons to anyone creating an "unsanitary condition." The local health department may consider

leaving food outside for feral cats the equivalent of creating an unsanitary condition. This could be resolved either through an informal agreement not to enforce such a policy on managed colonies or through a regulation exempting colonies within the TNR program. Here, too, reasonable restrictions on feeding may need to be negotiated, such as placing food in acceptable containers, cleaning up cans and plates, and not leaving wet food outside for hours on hot days. The need to work closely with the health department applies regardless of who is running the TNR program, whether it is an independent nonprofit group, an organization with an animal control contract, or another municipal agency.

The policies of the local animal control agency may also be relevant, assuming the agency is not itself administering the TNR program. If its normal practice is to try to trap and remove any feral or stray cat spotted or reported, then a communitywide TNR program will be in constant conflict with the agency unless the policy is changed.

State and Federal Laws

On the state or federal level, as compared to the municipal level, there are fewer laws that potentially impact TNR programs at this time. But the ones that do exist are generally going to trump any conflicting municipal laws, so you need to be aware of them, too.

A handful of state laws specifically address feral cats. In Florida, the Fish and Wildlife Commission banned TNR on all public lands where the cats might threaten wildlife. California allows a shelter to relinquish feral cats to nonprofit organizations (West's Ann. Cal. Food & Agric. Code, sec. 31752.5). Connecticut's state law authorizes municipalities to implement local TNR programs (CT ST sec. 22-339d) and has recently provided funding for feral cat spay/neuter. In Illinois, Anna's

Law, formally known as the Illinois Public Health and Safety Animal Population Control Act, also provides funding for feral cat spay/neuter and rabies vaccinations. Minnesota and South Dakota permit the hunting of feral cats.

Many states have laws that are relevant to TNR because they address cats in general without distinguishing between feral and owned cats. These laws tend to provide cats with some degree of protection, such as by prohibiting cruelty, neglect, or abandonment; mandating holding periods after impoundment; and restricting what persons can administer euthanasia drugs. In most cases, these protections are considered equally applicable to feral and owned cats.

The Endangered Species Act (ESA) is a federal law that prohibits the taking of any rare, threatened, or endangered species. A “taking” is an act that either causes harm or has the strong potential to cause harm to an ESA-covered species and is punishable by severe fines and sanctions. An example would be the intentional destruction of habitat critical for endangered species’ survival. Many states have enacted their own versions of the ESA; some state ESA laws may protect additional species besides the ones covered by the federal law. It is important to find out if your state has its own version of the ESA and, if so, what species are listed. In some states, such as New Jersey, the state ESA lists far more species as rare, threatened, or endangered than the federal ESA and also covers common “non-game” species.

The law is unsettled on whether it is a violation of the federal ESA or any state ESA to perform TNR in a habitat occupied by a covered species that is considered vulnerable to cat predation. TNR advocates would argue that sterilization of a preexisting colony is not increasing the risk of harm to any wildlife in the area, but lessening it by reducing feral population growth. On the other hand,

wildlife advocates would contend that maintaining the sterilized colony over time is harmful.

Rather than trying to litigate this issue, the better course of action is to engage local wildlife organizations and relevant government agencies in a dialogue about what would be best for all the animals involved. The circumstances of each unique situation may present a solution that advances the goals of TNR and protects wildlife. In the end, both feral cat groups and wildlife advocates want the same thing—fewer feral cats in the environment.

Abandonment Laws

Laws prohibiting the abandonment of cats may be found at the state, county, and/or municipal level. Not all jurisdictions have abandonment laws that cover cats, so you will need to research your local laws carefully. Where these laws do exist, abandonment is often considered a criminal offense.

When it comes to TNR, abandonment laws could prevent animal control agencies from participating in the program. They may fear that returning the cats to their territories equals abandonment, causing animal control officers to violate the very laws they are charged with enforcing if they participate in the TNR process. Similarly, other animal welfare organizations and feral cat caretakers may be discouraged from implementing TNR if the threat of an abandonment charge looms over their efforts.

If the abandonment law was enacted at the municipal or county level, then the simplest way to remove the concern may be to specifically exempt cats in managed colonies from its scope. Sample provisional language could state: “The return of a neutered feral cat into a managed colony where food, shelter, and monitoring are provided on a regular basis does not

constitute abandonment within the meaning of this ordinance.”

If abandonment is a crime specified in a state statute, a specific exemption for the practice of TNR could be inserted.

Legally Neutral Environments

If you determine there are no laws or policies unfavorable to TNR within your community, you should still seek approval for your TNR program from the relevant municipal authorities. Laws can be quickly changed and, as mentioned, it is usually only a matter of time before local officials become interested in what you are doing. A crisis and possible confrontation can be avoided if they are informed and consulted from the start.

To gain approval, you do not necessarily have to go through the formality of having a pro-TNR ordinance passed or a favorable regulation promulgated. Trying to do so might needlessly delay or complicate implementation of the program and draw opposition. An informal relationship with officials in the public health or animal control departments may be sufficient. Depending on the local culture, this type of informal agreement may be the preferred way of doing certain things. A resolution by the town council declaring the municipality’s support for TNR may also be adequate instead of a formal ordinance. Ultimately, you must exercise judgment in determining what degree of official support to seek.

TNR Ordinances

One innovative program in New Jersey, the Burlington County Feral Cat Initiative (BCCI), requires a township to pass an ordinance authorizing TNR before BCCI will work in the municipality (www.njferals.org). A sample BCCI ordinance was passed by

Tabernacle Township (see Appendix C to this manual). The main advantage to this approach is that all issues of legality and municipal support are handled before a single cat undergoes TNR as part of the program. With this hurdle overcome, BCCI can focus exclusively on the hands-on work of getting the cats sterilized and not face uncertainty about the program’s acceptance.

Both the Stone Harbor (see Appendix B of this manual) and Tabernacle Township ordinances designate a person or organization to administer the TNR program. In Stone Harbor, an animal coordinator is appointed by the municipality, while in Tabernacle a sponsor is designated. Selecting a specific person or agency to run the program assists in record-keeping, smoothes communication between the program and local government, and makes it clear who is responsible for implementing TNR in the community.

Both ordinances also set realistic standards for management of feral cat colonies. In the Stone Harbor law, sterilization is required for “all adult cats that can be captured” and rabies vaccinations for “all cats that can be captured” (sec. 7-5A.4(a), (b)). Similarly, the Tabernacle ordinance makes the caretaker responsible for “taking steps that are reasonably likely to result in” the colony being currently vaccinated against rabies and at least 90 percent spayed and neutered (sec. 3.4(b), (c)). This type of language imposes a good faith duty on caretakers to do whatever they reasonably can to sterilize and vaccinate. It is preferable to language that imposes strict, inflexible requirements of 100-percent compliance and provides penalties for failure to meet that standard. Given the difficulty of trapping some cats, especially more than once, caretakers may be discouraged from participating if every single cat must be sterilized and current on vaccinations to avoid fines or seizure of the cats. Many caretakers may decide to stay underground

rather than subject themselves and their colonies to what may be highly difficult mandates.

The Stone Harbor ordinance is also a good illustration of creating exemptions for feral cat caretakers from other laws that would discourage the practice of TNR. Caretakers are exempted from the borough's cat licensing requirements (sec. 7-3A(m)) and from the ban against feeding animals outdoors (sec. 4-33.1(a)). Section 7-1A clarifies that caretakers are not considered "owners" of the cats they manage.

The Tabernacle ordinance is innovative in spelling out responsibilities for owners of domesticated cats in order to prevent creation of feral cat colonies in the first place. Section 2.3 provides that the owners of sexually intact domesticated cats will not permit the cats to roam off their property, while section 2.4 prohibits the abandonment of domesticated cats. One recommended provision not included in the Tabernacle ordinance is authorization to TNR any sexually intact cats found roaming off their owner's property. This furthers the goal of reducing the feral cat population and insulates the TNR program from liability claims by the owner of a roaming unaltered cat. Another recommended provision not presently in the Tabernacle ordinance is a prohibition against the trapping of cats in registered colonies except by a caretaker, sponsor, or animal control official.

Another unique feature of the Tabernacle law is its wildlife-protective language. In the preamble, the ordinance states, "WHEREAS, a present goal of Trap-Neuter-Return (TNR)

is to decrease the number of cats in the environment and thereby reduce feral cat predation on wildlife." In the ordinance's provisions, section 3.3(e) imposes on the sponsor the duty to "use due consideration to avoid the taking of rare, threatened or endangered species under the Endangered and Nongame Species Conservation Act, N.J.S.A. 23:2A-1, et seq."

At the time this manual went to press, a coalition of national, state, and local feral cat and wildlife groups, including The Humane Society of the United States (HSUS), was nearing completion of a protocol intended to precisely define "due consideration" as used in section 3.3(e). Pursuant to the protocol, it is expected that further wildlife-protective language will be added to the ordinance, along with reference to a technical guidance document that will also be enacted into law. This unique effort represents a significant advance in bringing wildlife and feral cat groups together to achieve the common goals of feral population reduction and wildlife protection. To view the ordinance and technical guidance document when they are available, contact Nancy Peterson of The HSUS (npeterson@hsus.org) or Gordon Stull, DVM, of the BCCI (gordon.stull@njferals.org).

Keep in mind that an ordinance can provide a framework for a TNR program, but it cannot cover every possible contingency. A sound working relationship with municipal officials will still be necessary and care should be taken at all times to maintain and develop this relationship.

4

CHAPTER



MEREDITH WEISS, NEIGHBORHOOD CATS

Administration

Lead Agency

ONE AGENCY, WHETHER PRIVATE OR GOVERNMENTAL, should be in charge of administering the TNR program. If many organizations are involved, then the lead agency can play a coordinating role, making sure the different parts of the system are working together and directing caretakers and other interested parties to available resources. In smaller communities, the lead agency can provide most of the needed services.

New York City provides an example of a lead agency coordinating the work of many organizations. Neighborhood Cats administers the Feral Cat Initiative and chairs the New York City Feral Cat Council, both of which are sponsored by the Mayor's Alliance for NYC's Animals. Through these programs, Neighborhood Cats helps coordinate the many TNR services now offered by more than a dozen local organizations, including workshops, spay/neuter services, equipment rentals, volunteer hands-on assistance, phone and e-mail advice, educational efforts, and more. Given the millions of people and tens of thousands of feral cats in New York City, a wide-ranging effort that pulls together resources from many directions is needed.

By contrast, the city of Long Beach, New York, has a human population of approximately 30,000 and a feral cat population in the hundreds. One agency, Long Beach Cats, provides or arranges

all the services needed for an effective community TNR program, including training, trapping, transportation, and spay/neuter services. Having one agency as the primary resource provider for the entire community is not necessarily limited to smaller communities. The San Francisco SPCA provides most of the needed resources for its citywide TNR effort, while AZ Cats does the same in much of Arizona.

Which role the lead agency should play—services coordinator or primary service provider—may depend on how many other organizations will offer assistance. If many community groups are willing and able to contribute significant resources, the lead agency does not need to try to provide everything. Instead, coordination and leadership would be a more important role. On the other hand, if the lead agency is the only group implementing TNR, it may need to deliver the required services itself, keeping in mind that the resources of just one agency may significantly limit the reach of TNR.

What should be avoided are multiple groups running separate programs without any coordination. Lack of clear leadership for the local TNR effort can lead to duplication and waste of resources as well as differing standards of practice. This, in turn, can lead to confusion among local caretakers and friction with the municipality. The local health department will likely be much more comfortable if TNR is being practiced in a uniform manner throughout the community under the auspices of a single program rather than by several groups or agencies acting on their own and according to their own rules.

In addition to coordinating or providing TNR services, the lead agency may need to mediate between caretakers and residents who are having problems with the cats. For example, the No More Homeless Pets Utah program provides motion-activated sprinklers at a steep discount to disgruntled neighbors who do not want cats from nearby managed colonies in their backyards. If a condominium

board is threatening a caretaker with a fine for feeding feral cats, the lead agency can intercede and help explain the advantages of TNR to the board. If the lead agency is itself part of the municipality or an organization with a municipal animal control contract, its persuasive power in these situations may be considerable.

Just as it is helpful for one organization to run the TNR program, it is also advantageous to have one individual within that organization in charge. Having a designated person act as the TNR coordinator makes it easier for others, such as public health officials and veterinarians, to interact with the program and have their needs heard and met. It means the daily responsibilities of administering the program are more likely to be consistently performed, such as arranging for equipment pickups and drop-offs, scheduling spay/neuter appointments, responding to residents' inquiries, and paying bills.

Separating TNR from Rescue

Often at the start of a TNR project, a colony will contain a number of very young and easily socialized kittens and may also have some recently abandoned and still people-friendly strays. Removing these cats and placing them in adoptive homes can be a powerful tool in achieving rapid reduction in the feral population. For example, in Newburyport, Massachusetts, Merrimack River Feline Rescue Society began its TNR program by removing 200 of the 300 cats at the outset and placing them in foster or permanent homes—an immediate population reduction of 66 percent. However, a TNR program should take the time to try placing adoptable cats only if enough resources are available (within the program itself or by partnering with other adoption organizations and shelters) without hindering the sterilization effort.

A common problem that new TNR programs face is the failure to focus on working in the field to sterilize and care for feral cats instead of rescuing and placing friendly cats and kittens. The program often begins with the intention of concentrating on TNR, but as the work proceeds and word gets out that the program helps cats, opportunities to rescue friendly cats in need continually present themselves. These cats may be kittens and strays found in colonies during actual TNR projects, cats abandoned or about to be abandoned in indoor situations, cats facing uncertain fates at local shelters, cats from hoarders, and so on. Unwilling or unable to say no, the new TNR program takes on the responsibility of rescuing these cats, and resources are diverted to veterinary bills, socialization, foster homes, and searching for permanent placements. Eventually, the time and resources demanded in caring for the rescues cause cutbacks or delays in performing TNR. This tendency to allow rescue operations to overwhelm TNR resources is most acute among new feral cat groups with no significant shelter or animal control experience.

The reason for this unfolding scenario is apparent—the need in a rescue situation is often immediate, while TNR tends to be a more gradual, planned form of intervention. When faced with cats in crisis, people who care about cats naturally want to help and may even feel guilty if they do not help them. The more global view required to implement TNR on a wide scale loses to the narrower vision of rescuing individual cats in seemingly more urgent situations. There is, of course, nothing inherently wrong with rescue. On the contrary, it is important work, and rescuers save many lives that otherwise might have been lost. But when the mission is supposed to be TNR, which is also important work, the primary goals of feral cat population reduction, nuisance abatement, and long-term care need to be achieved or the program will

fail. The ability to separate missions and allocate resources accordingly is part of the normal work of most shelters and animal control agencies, but it may be foreign to volunteers forming new nonprofits.

There are many ways to separate rescue from TNR and keep it from overwhelming the program. First, the group running the TNR effort must create a clear public identity for the program. Many experienced feral cat organizations plainly state on the outgoing messages of their voicemails that they work exclusively on TNR, do not take in cats for adoption, and do not assist in the removal or relocation of cats. This alone screens out most of the rescue-type calls that would otherwise come in. In the program's literature and in one-on-one conversations, too, the message must be conveyed that the program is about TNR—not about adopting out cats. Of course, if the agency running the TNR program also has programs for rescue and adoption, callers can be directed toward these resources.

Another excellent way to keep the mission on track if the group running the program is focused exclusively on TNR is to have a rescue or adoption partner, such as a shelter or traditional rescue group. Having this kind of partner makes it much easier to take in young kittens and friendly strays who are found in the course of trapping feral colonies. It is always desirable to take these cats off the street whenever it can be done without overly draining the program—both for the cats' sake and for the goal of reducing the feral population. Serving as a rescue partner also provides a way for organizations that do not trap or do hands-on work with ferals to be a significant part of a collaborative TNR effort.

If rescue partners are not available and the organization running the TNR program does not have other rescue-oriented resources, then the responsibility for taking in and fostering adoptable cats from feral colonies

may need to fall to the caretaker. If the caretaker wants the cats rescued and is willing to foster them or find foster placements, the TNR program can then help find the cats permanent homes by referring caretakers to adoption resources, such as adoption fairs or shelter intake days. In addition, the program can maintain its own online adoption pages and post caretaker-fostered cats on them. If there are no adoption partners available and a caretaker is unwilling or unable to foster the cats, then it may be necessary to neuter and return them to their colonies.

If an organization with a separate rescue program is running the TNR program, then having a separate budget and administrator for TNR will help keep the rescue work from draining resources. At the same time, having a built-in rescue partner can be very advantageous.

Whether administered by animal control, large shelters, or feral cat nonprofits, TNR programs should avoid getting involved in relocating ferals on a regular basis. Relocation is a difficult, time-consuming, and uncertain process that can also quickly cause a program to lose focus on performing TNR. If a person requests help relocating a cat colony, the TNR program can still help without doing the hands-on work. Callers seeking relocation assistance often are unfamiliar with TNR and its ability to quickly and dramatically improve a hostile situation for the cats. They also may not know that a colony can be shifted to adjacent territory if, for example, a building is being knocked down. If relocation is necessary, the TNR program can provide literature on ways to locate new homes and the proper procedures to follow if a suitable site is found. Detailed information on how to properly perform a relocation of feral cats is included in *The Neighborhood Cats TNR Handbook* (www.neighborhoodcats.org)

and in the Alley Cat Allies fact sheet “Safe Relocation of Feral Cats” (www.alleycat.org).

Liability Concerns

Running a program that organizes and supervises TNR projects carries with it the potential that someone in the course of the hands-on work will accidentally suffer a cat-related injury such as a bite or scratch. These injuries, especially if not swiftly treated, can be serious. Each organization will have its own level of tolerance for the risk of lawsuits for cat-related injuries. If potential liability is a concern, steps can be taken to help protect against it.

If a shelter or animal control agency runs the TNR program, the organization’s umbrella liability policy may cover the program. If a smaller group runs the program, the cost of obtaining insurance is likely to be prohibitive. In either case, whether a liability insurance policy is in place or not, groups should follow certain procedures to avoid exposure to legal action. Knowing precisely what is needed requires the advice of an attorney familiar with the laws of your particular jurisdiction. General steps to be followed are described below. This information is meant to familiarize you with the issues involved and possible solutions. It is not intended as a substitute for proper legal advice from a qualified lawyer.

The situation where liability for a cat-related injury is of most concern is when the program itself is directly organizing and controlling a TNR project and is using volunteers to perform all or parts of the hands-on work of trapping, transporting, and caring for confined feral cats. Accidental cat-related injuries suffered by volunteer participants, including caretakers, could lead to potential liability. Normally, this potential liability would be based on a claim that the injury was in some manner caused by the program’s negligence.

To help protect the TNR program from these types of negligence claims, three items are usually necessary: (1) a written waiver of liability from volunteers, (2) adequate training of volunteers, and (3) adequate supervision of volunteers. A fourth step, written and signed protocols, is also recommended. These steps are recommended whenever volunteers are handling feral cats, whether the organization running the program is a shelter, animal control agency, or feral cat nonprofit, and whether or not an insurance policy is in place.

1. Create a written waiver of liability.

Also referred to as a “release,” a written liability waiver basically states that the volunteer is waiving in advance any claim that the program’s negligence caused an injury to him or her. A sample release form is contained in Appendix D of this manual. A qualified attorney in your jurisdiction should review this sample form before you use it.

Contrary to popular belief, a written waiver alone, no matter how artfully drafted, is not enough to avoid liability for an accidental injury. Adequate training and supervision are also needed.

2. Train caretakers and other volunteers.

All caretakers and other volunteers should be trained before they handle feral cats. This is important not only for legal purposes, but also for avoiding injury in the first place. Basic safety procedures should be taught and emphasized, including how to use a trap, how to safely feed and care for cats confined in traps, how to safely transport cats, what to do if a cat escapes, and what procedures to follow if a cat bites or hurts someone. Only properly trained persons should be allowed to participate in the TNR program.

3. Provide adequate supervision of volunteers. Supervision of those performing hands-on work is also required to avoid potential liability against a negligence claim. What qualifies as “adequate” will depend on the task being performed and the experience

level of the person doing it. If a volunteer has never trapped a cat before, then it would be inadequate supervision to send that person out to perform a TNR project without any assistance. If volunteers do have extensive experience, letting them trap alone is probably acceptable, and adequate supervision would consist of keeping track of what they are doing.

4. Develop written protocols. It is also advisable to have written protocols describing the correct methods for important aspects of the work, such as how to trap, how to feed a trapped cat and clean the occupied trap, and how to transport trapped cats. Volunteers should read the protocols before participating and sign and date the forms.

Note that these concerns involve TNR programs that directly set up and supervise field projects. A program that merely coordinates services, such as by providing referrals to spay/neuter clinics, trap banks, or trappers, is not at as great a risk for negligence claims if injuries occur during a project. A gray area exists if the TNR program provides some combination of direct involvement with fieldwork and coordination of services. An example would be if the program provided training to a caretaker and referrals for spay/neuter and traps and then sent an experienced volunteer to assist on the first day of trapping. The caretaker is organizing most of the project in this scenario, but the TNR program is involved to some extent both in coordinating services and performing hands-on work in the field.

Consultation with a qualified local attorney is needed to accurately assess the risk of liability to the program and to determine what steps are needed to protect against negligence claims. In New York City, Neighborhood Cats is often involved in both coordinating services for caretakers and providing limited hands-on trapping assistance. To protect against negligence claims and for safety reasons, Neighborhood Cats requires that all caretakers attend a

training workshop before any TNR-related services are made available, whether the services are of a coordinating or hands-on nature.

Loaning Traps

Another situation where potential liability for negligence can arise is when the program lends traps to caretakers who will use them to perform their own TNR projects. Because the caretakers are initiating and running these projects, there may not be the same responsibility for adequate supervision as when the project is under the program's direct control. Nonetheless, the TNR program does take on a potential liability by lending equipment for the possibly dangerous work of trapping and handling feral cats. To guard against a lawsuit, the TNR program should require borrowers to (1) sign a release of liability and (2) have adequate training as described above. The sample trap bank contract in Appendix E of this manual contains a release among its provisions.

Keep in mind that the laws in every jurisdiction differ and only a qualified attorney can tell you exactly how to lower your exposure to claims of negligence and best protect your program and organization.

Trapping Owned Cats

Another liability concern unique to TNR involves the trapping of owned cats. Specifically, what happens if an owned cat is unknowingly trapped, neutered, and/or eartipped in the course of a TNR project? Can the owner of the cat sue the program?

In the eyes of the law, owned cats are property, and so theoretically the owner of a cat in this situation could sue for damages to his or her property. However, the legal monetary value of most cats is low, and damages for sterilizing and eartipping a mixed-breed domestic shorthair would be

minimal. If the cat was a purebred Persian and the owner bred her and regularly sold her kittens, then the damages could be much higher. There is also the risk in some jurisdictions that the owner could sue for infliction of emotional distress. This type of claim, which speaks to damage caused to the owner rather than to the cat, could expose the program to substantial liability.

One way to try to avoid this potential liability is to provide adequate notice to area residents of the impending TNR project. Flyers could be slipped under each door and notices posted around the area describing the project, announcing its dates, and requesting owners to keep their cats indoors during this time. Another way to protect against a lawsuit is for the municipality to pass an ordinance that authorizes the TNR of any free-roaming cat not clearly identified as owned.

During the actual trapping, any cat with signs of ownership, such as a collar, should be carefully evaluated before any veterinary intervention is performed. The cat may have been let out by his or her owner or may have been abandoned or lost.

In many jurisdictions, property rights to found animals are extinguished within a certain period of time after a notice of the animal having been found is filed with the appropriate municipal agency. If this is the case in your municipality, then such a notice should be filed. After the waiting period expires, the cat can be spayed or neutered and, if appropriate, adopted out without risk of liability. If your jurisdiction does not have this type of law, speak to a qualified attorney to find out the rules for handling found animals. Other efforts to locate the possible owner can also be made, including checking for "lost cat" posters in the neighborhood.

Funding

Funding for a TNR program is, of course, a necessity. If the program is being offered by a shelter or larger animal welfare organization, allocating funds from general revenue may be sufficient. If the administrator of the program is not a municipal agency but an incorporated nonprofit, traditional methods of fund-raising—such as direct mail campaigns, grants, or special events—remain an option as well. PetSmart Charities has a TNR grant program. Eligibility guidelines are posted on its website at www.petsmartcharities.org. Additionally, *Fund-Raising for Animal Care Organizations* (Humane Society Press, 2005) provides information on raising money for spay/neuter programs and can be purchased at www.humanesocietypress.org.

Direct municipal funding for a TNR program is another possibility. When a municipality has an overpopulation of feral cats, the issue tends to impact the entire community. Residents bear the brunt of the cats' nuisance behaviors, including loud yowling during early morning hours, strong odors, and digging in gardens. Because feral kittens can have a high rate of mortality, many residents are disturbed by the suffering and death that can result from unchecked reproduction. The community as a whole may incur higher animal control and shelter costs from the intake of feral cats and kittens. Because feral cats are a community problem, it makes sense for the community to help pay for the solution.

Municipal funding might take the form of an additional payment, if the organization running the program already has an animal control contract, or an additional line item in the municipal budget, if the lead agency is part of the municipality. If the lead agency is independent of local government, the municipality may be able to provide a grant or enter a services contract.

In Long Beach, New York, Neighborhood Cats contracted with the city to TNR a

specified number of cats within a little more than a year (see Appendix F of this manual). Feral cats have been a constant presence in Long Beach for decades, and TNR offered the first realistic possibility of permanently reducing their numbers. Recognizing that TNR is a form of animal control and nuisance abatement, the municipality considered it in its own interests to help finance the effort. Other municipalities, when presented with a soundly organized plan, may reach the same conclusion.

Regulations often mandate an open bidding process for municipal contracts, but there may be an exception for what are termed personal service contracts. These types of agreements involve services that are unique and not readily available. This would apply if there were no entity in the area other than the TNR program to perform the proposed work. Corporate counsel for the municipality will know if the personal services exception applies. Within the municipal budget, possible sources of funding include animal control, pest control, or contingency funds.

Be aware that if a TNR program receives municipal funding, its records may be subject to freedom of information requests from the public. This might include the location and identity of colonies and caretakers. You will need to research your state's freedom of information laws in order to determine whether this is a possibility.

Another source of funding is residents who want the feral cats in their yard or neighborhood sterilized. Often these people are also caretakers, providing the cats with food and shelter. The TNR program is providing a service by training volunteers, trapping cats, loaning equipment, and/or arranging spay/neuter. Asking people who benefit from this service to help pay for it is reasonable. Although many caretakers will lack the financial means or desire to bear any of the costs and will expect the TNR program to pay for everything, some will be willing to make contributions if asked.

Contributions could be requested, for example, in the form of a certain amount per cat, calculated to cover all or a percentage of the veterinary costs.

Caretaker or resident contributions may not be a possible funding source for agencies that are part of the local government or operating under a municipal animal control contract. You should examine local laws or the terms of the contract to determine whether a request for such payments is permissible.

If it is legal to request caretaker contributions and the program decides to do so, the question of whether to make them mandatory or optional may depend on how much other funding is available. If the program is well financed, it could partially or entirely pay the costs for residents or caretakers who cannot or will not contribute. This would help sterilize more cats faster. However, if the program lacks other funding, requiring caretaker payments would be necessary in order to make the TNR possible. Hopefully, as the program grows, it will develop the resources needed to make caretaker contributions optional.

An illustration of a program that incorporates caretaker funding comes from Long Beach Cats in New York. Pursuant to its municipal contract, the program received a specified sum from the city in exchange for promising to TNR a certain number of cats. In addition to this funding source, the program also requests contributions from residents asking for assistance. The recommended donation is \$50 per cat if the TNR program does all the work, including trapping, transporting, and arranging spay/neuter, and \$25 per cat if the resident attends a training workshop and then participates in the hands-on work. Caretaker contributions are not mandatory, but to encourage them, residents who do agree to pay are placed at the top of the waiting list for services.

If other sources of funds should run out, Long Beach Cats can shift to making caretaker contributions mandatory. In the meantime, by generating revenue supplemental to the municipal contract, the program is able to maintain its ability to provide service to any requesting residents whether they contribute or not.

5

CHAPTER



Forming a Strategic Plan

TO ACCOMPLISH ITS PRIMARY GOALS, A TNR program must begin with a carefully crafted strategic plan that addresses the unique circumstances of the target community and realistically takes into account the resources available. An approach that works well in one community might not work in another if key conditions differ. Developing an appropriate plan at the outset could mean the difference between success and failure.

Expert and Grassroots Models

One strategy for sterilizing feral cats is to rely on experts to do the work. Under the TNR program's direct supervision, a corps of trained workers (employees and/or volunteers) responds to requests for assistance from the public and performs all the hands-on work, including trapping, transporting, and handling the cats. These experts may already be available at the start of the program or may need to be trained. The role of most caretakers in a program run under the expert model is limited to alerting the program about the presence of the cats, cooperating with the trappers, and providing long-term care for the colonies.

The grassroots model takes the opposite approach. Instead of relying on experts to do the hands-on work, caretakers and

concerned residents are the ones who perform most or all of the labor. They are the ones responsible for scheduling the spay/neuter, picking up traps, providing transportation, and performing the actual TNR. The TNR program plays a supportive and coordinating role by providing training, equipment, spay/neuter referrals, and perhaps a limited amount of hands-on assistance, such as sending an expert trapper to help on the first day of a large trapping.

The correct model for a particular program depends on the size of the feral population being targeted, the size of the community, and the resources available for a TNR effort. For example, Long Beach, New York, offers an example of an appropriate application of an expert model TNR program. The city is moderate in size (approximately 30,000 residents) with an estimated 400–500 feral cats. The community already had a number of experienced trappers when the TNR program started; the size of the feral population was small enough for these experts to catch most of the cats within a reasonable period of time (an estimated two years); and the city of Long Beach was willing to provide enough funding for a communitywide TNR effort to get substantially under way. As a result, the Long Beach Cats program was established, relying on expert volunteers to TNR cats at the request of local residents.

The expert model may also be appropriate when a shelter that handles the community's animal control responsibilities is running the TNR program. If trained animal control officers have time to perform TNR and the feral population is not too large for them to adequately address, this can be an effective approach. Cape May, New Jersey, provides an example of a TNR program that used a local animal control officer to do all the hands-on work. It succeeded in reducing both complaint calls and the number of ferals.

New York City has a human population of eight million, and feral cats number at

least in the tens of thousands. Because of the scale of the problem, a TNR program that relied on experts to do all the hands-on work would not have a realistic chance of sterilizing enough cats to achieve the primary goals—reducing the size of the city's feral population, reducing complaint calls, and adequately caring for a substantial percentage of the cats. It would take far more personnel and funds than would ever be available to support an effective "expert" approach.

For a TNR program to have a communitywide impact in a situation like New York City's, a grassroots model must be implemented. Success can be attained only by recruiting an ever-growing number of caretakers and residents to perform the labor and contribute resources themselves. This explains why the city's TNR program, currently embodied in the New York City Feral Cat Council and the New York City Feral Cat Initiative, requires caretaker participation in TNR projects except in rare circumstances. Rather than developing experts, the program focuses on publicizing TNR, training caretakers, and creating and coordinating services. It will take many years for the program to achieve its primary goals, but it is laying the groundwork for future success. This is evidenced by the growing popularity of TNR and the increasing number of people practicing it.

To summarize, in deciding whether to employ an expert or grassroots model, you should assess (1) the size of the feral cat population in the community to be served, (2) the size of the target community (in terms of geography and human population), and (3) the resources available to the program, especially funding and personnel. On one extreme, if the feral population is relatively small, the size of the community is manageable, and adequate funding and personnel are available, an expert approach is preferable because it will probably make faster progress. On the opposite extreme, if the number of

cats is large, the community is also relatively sizeable, and resources are limited, a grassroots model is a better choice. Situations in between will require a realistic assessment of what is possible. Put simply, experts should not be expected to do all the work if not enough of them are available and if they alone cannot TNR enough cats to achieve the primary goals. In that case, the program needs to rely on the population at large to get involved.

As your program proceeds, be open to the possibility of incorporating elements of the opposite model into the one you initially chose. For instance, a program that employs a grassroots approach to address the overall situation may still rely on experts to perform high-profile projects or assist caretakers with the more difficult parts of a trapping. A program employing an expert model could provide incentives for caretakers to become trained and participate in the work, thereby cutting down on the workload for the program's personnel. But in creating a strategic plan at the outset, it is recommended that a clear decision be made on the fundamental orientation of the program as either expert or grassroots.

Protocols

The protocol for a program based on the expert model will differ significantly from one taking a grassroots approach. An expert program tries to gather from caretakers and residents information about the cats, including their location and habits and the colony size. The program then uses its own personnel and resources to perform TNR. A grassroots program focuses on training caretakers and then arranges for them to have access to the resources they need to do the work themselves.

Long Beach Cats provides an example of a protocol for an expert program. Residents can call a voice mail number where the outgoing message briefly explains the program and asks callers to leave their names and addresses to

receive more information. A detailed description of the program and a request for assistance form are mailed to callers who leave their contact information. (The program description and request for assistance form are included as Appendices G and H of this manual and are also available on the Long Beach Cats' website at www.LBcats.org). Residents interested in using the program's services can mail in the request for assistance form. The program coordinator reviews the information provided, contacts the resident, and begins arrangements for trappers to be sent if appropriate.

The New York City Feral Cat Initiative, a grassroots program, fields inquiries via e-mail and phone. Through a recorded message on the Feral Cat Initiative's voicemail or during a call back from a program representative, residents are informed of the free services available to them if they are interested in performing TNR, including spay/neuter, traps, and efforts to arrange volunteer assistance. They are also told that to use these services, they must first attend a three-hour training workshop that is currently offered twice a month. People who are unable to perform any hands-on work themselves for whatever reason—such as disability or lack of time—are encouraged to locate a friend, neighbor, or relative who can help.

Workshop training includes how to trap and care for the cats during the project and how to arrange for needed services. After the workshop, if further assistance in setting up and running the TNR project is desired, attendees can call the Feral Cat Initiative or submit an online request for assistance form at www.nycferalcat.org. The initiative's TNR director then attempts to arrange assistance as needed. In some cases, the organization does not wait for a request but is proactive and contacts caretakers who have scheduled spay/neuter dates to see if help is needed. (See Appendix I for the Feral Cat Initiative's protocol.)

Every program's protocol will differ according to the type of organization running the program and the resources available. For example, a shelter with animal control responsibilities may have contractual or legal constraints on how to handle calls based on the laws they enforce and the duties they are required to perform. The key point, whatever adaptations need to be made, is to keep the procedures consistent with the program's chosen approach—relying on experts or promoting grassroots participation.

Allocating Resources Effectively

How a TNR program allocates its resources may well determine whether or not primary goals are met. The following illustration demonstrates this.

Assume there are two TNR programs. Their respective communities have the same number of feral cats and are the same size, and each program has the resources to spay or neuter 100 cats per month. Program A allocates this capacity by equally dividing the available slots among the caretakers who sign up for that particular month. If 25 caretakers sign up, each of their colonies gets four spay/neuter slots. Program B, however, allocates its 100 spay/neuters a month by targeting entire colonies. For example, Program B might give the 100 slots to 10 colonies consisting of 10 cats each. Program B, while it will not provide service to as many caretakers in a month, has a much better chance of achieving communitywide population and nuisance reduction than Program A.

The key to understanding why Program B has a more effective strategy for allocating resources is what has come to be known as the 70-percent rule. The rule was developed by mathematician Leonardo Fibonacci and was later applied by Louis Pasteur in developing strategies for preventing the spread of disease through vaccinations.

Pasteur theorized that the spread of disease could be stopped once 70 percent of the affected population is vaccinated. Today, public health authorities such as the World Health Organization apply a more sophisticated form of this theory to calculate what percentage of an affected population must be vaccinated in order to create what is termed herd immunity. Factors include the contagiousness of the disease and the conditions in which it can spread. For example, it was calculated that 80–86 percent of children must be vaccinated to prevent further spread of polio (*Polio Eradication in the Western Pacific Region*, ch. 2, p. 24 (World Health Organization, 2002), available online at www.wpro.who.int/internet/files/pub/Polio3/chapter2.pdf).

W. Marvin Mackie, DVM, a noted feral cat veterinarian and pediatric spay/neuter expert, reasoned that the 70-percent rule could also be applied to TNR efforts (“Pet Overpopulation and the 70 Percent Rule,” *Paws to Think*, Vol. 3, No. 1 (The Pet Savers Foundation, winter 2004), www.petsavers.org). He analogized sterilization to “vaccination against reproduction” and theorized that once 70 percent of a given feral cat population is sterilized, the remaining 30 percent engage in successful breeding only often enough for births to occur at a rate that replaces normal attrition. In other words, when 70 percent of the cats are sterilized, births equal deaths and the population stabilizes.

According to Dr. Mackie's theory, to stop a colony's numbers from increasing, 70 percent of the members must be altered. Plainly, the analogy of preventing disease through vaccination to stopping population growth in a feral colony is a rough one, and so it cannot be said with any precision exactly what percentage of cats must be sterilized in order to prevent population growth. Factors that may influence the level could include the ratio of female to male cats, the climate, and the quality of food and shelter. However, the

key point remains that there is *some* level of sterilization that must be attained in order for births to equal attrition and achieve stable population growth.

Because population *reduction*—not merely stabilization—is the goal of a TNR program, sterilization rates within colonies should be as close to 100 percent as possible. At 100-percent sterilization, no more kittens are entering the colony, and the population is more likely to decline over time.

The significance of the 70-percent rule for a TNR program is clear. Resources must be allocated in a way that achieves as closely as possible 100-percent sterilization rates in the colonies treated. Otherwise, although the individual cats fixed will benefit, the overall population of ferals in the community may not decline, and the program's primary goals will not be achieved. Thus, in Program A, four cats in 25 colonies will be neutered, but that may not leave any of the colonies at the sterilization level where population stabilization or decline will be achieved. In Program B, assuming the trapping is successful, every colony treated will be at or close to 100-percent sterilization. For the benefit to the community as a whole, Program A may have achieved nothing in terms of reducing the overall number of cats, while Program B will have achieved population decline in parts of the community's feral population. Over time, as Program B moves from colony to colony, it has a far greater potential of achieving its primary goals.

The 70-percent rule should guide allocation not only of a TNR program's spay/neuter capacity but also of its other resources. If an expert model program sends its own trappers in response to a caretaker's request for assistance, the workers must attempt to catch all the cats in the colony. If the program is taking a grassroots approach and training caretakers to do the hands-on work, it should train them to perform a mass trapping, defined as the TNR of an entire

colony at once. Likewise, spay/neuter and equipment capacities must be developed to accommodate entire colonies being altered at the same time. Altering one or two cats in a colony at a time should only be pursued if that is all that available resources will allow.

Selecting Initial Projects

A new program should carefully select its very first TNR projects. When TNR is new to a community, it is important for the initial efforts to succeed and thus demonstrate the method's potential. This will help build public support, which in turn could lead to greater caretaker participation, stronger municipal backing, and more funding. Initial failure, in contrast, could have an opposite and harmful effect.

One factor to consider is whether a proposed project is high profile. Does the project have some unique feature that will draw the media's attention, such as a setting that is well known (like a landmark) or unusual (like a prison or jail)? Getting the press to write about a successful project publicizes TNR and raises both the program's profile and the community's sense of its importance. A project can also be high profile by virtue of its visibility and impact on leading municipal officials, such as a feral colony located next to city hall or in a well-trafficked public facility like a park. Occasionally, the two aspects are combined and the project is both attractive to the media and important to officials. Neighborhood Cats gained a great deal of media attention for itself and TNR when it worked on Rikers Island, the largest jail in the United States. At the same time, jail officials were pleased that the long-standing feral cat overpopulation problem was resolved.

A second factor in deciding which project or projects should launch the program is the quality of the caretaker. During the initial trapping phase, the caretaker can greatly

facilitate the work by accurately counting the cats, establishing a consistent feeding pattern in terms of time and place, and withholding food at the appropriate time. An uncooperative or unreliable caretaker, by not taking these steps, can hinder the work. In addition, after the cats have been returned, the caretaker must ensure that the gains from the initial trapping are sustained by consistently providing for the cats, monitoring for newcomers, and reporting potential problems to the program. All colonies should ideally have a good caretaker. A TNR program should choose, especially for its very first projects, a situation involving a responsible caretaker who can be counted on for years to come.

Occasionally when a potential project is high profile, circumstances make it impractical for an individual caretaker to take on full responsibility for the colony. In these situations, the program-administrating organization may end up playing a caretaking role. An example from Neighborhood Cats is the Fresh Kills Landfill, the former dumping ground for New York City's garbage. After the landfill closed, there was no garbage for the cats to feed on and only a skeleton crew to maintain the facilities. There was one permanent employee who cared for the cats as best he could, but he could not handle all the caretaking responsibilities for 40 cats by himself. As a result, Neighborhood Cats not only performed the initial mass trapping but also has shared the caretaking responsibilities on an ongoing basis by providing food, trapping newcomers, and transporting cats

to and from the spay/neuter clinic. The project has been successful in gaining more public and municipal attention for TNR and in reducing the number of cats at the landfill, but the time and expense required to maintain the project are significant. It is critical that a program not commit to more of these types of projects—i.e., where the program itself serves as caretaker—than it can comfortably handle.

A third consideration in choosing initial projects is the likelihood of success. There may be a desire to use the program's newfound resources to tackle long-standing and difficult situations, such as a large colony of ferals living in the woods on the edge of town. There may be no regular caretaker, no one who really knows how many cats there are, problems with trapping because of the landscape, and other challenging conditions that would make it hard to succeed. While these cats deserve attention, this type of situation is not a good place to start. The first projects should be relatively easy, with conditions as favorable as possible—cats who are not shy of traps, a dependable caretaker, no problems with access to property or permission to feed, and so on. By achieving success at the outset, the program will be able to build support and attract more resources, putting itself in a better position to take on the harder cases later.

In sum, initial projects should be chosen by taking into account (1) the project's publicity and political value, (2) the caretaker's reliability, and (3) the likelihood of success.

6

CHAPTER



Fieldwork

THIS CHAPTER FOCUSES ON THE PROGRAM elements directly related to the hands-on part of TNR, meaning the actual trapping, neutering, return, and long-term maintenance of the cats. Chapter 7 focuses on recommendations for data collection and public outreach.

Training Workshops

For a grassroots approach that seeks the active participation of a large number of caretakers, training is one of the most important elements. Training is required to ensure the safety of human *and* feline participants, protect the program from liability claims, promote the efficient use of resources, and encourage proper long-term colony management. A grassroots program should require individuals to complete a training workshop in order to have access to TNR services.

In a program following an expert model, workshops can also play a significant role. Any volunteers who will be trapping cats should be trained—again, for safety, liability, and efficiency reasons. Even if the program will be using professional personnel experienced in handling feral cats—such as animal control officers—some amount of training probably is still necessary. It is one thing to know how to use a trap but another to know how to catch an

entire colony at once or persuade residents to accept TNR in their neighborhoods. In addition, workshops can be periodically offered to the community at large in an effort to involve more residents in the hands-on work and increase the program's capacity to implement TNR.

Appendix J contains a sample workshop outline—authored by Neighborhood Cats—that can be adapted to different communities. The outline contains references to *The Neighborhood Cats TNR Handbook* and to Neighborhood Cats' *How to Perform a Mass Trapping* video. In addition, Humane Society University (HSU)—the educational arm of The Humane Society of the United States (HSUS)—offers a comprehensive, self-paced online course for caretakers that was written by Neighborhood Cats (www.hsuonline.org). Entitled *Trap-Neuter-Return: How to Manage a Feral Cat Colony*, the course can be used as a complete workshop by itself or as the reference material for a live workshop.

The workshop outlined in Appendix J includes instruction on policy issues, as well as such basic matters as trapping and providing adequate food and shelter. Because feral cats often touch the lives of many community members, caretakers should be able to explain articulately to neighbors and residents what they are doing and why. The workshop should teach the advantages of TNR and why other alternatives fail. It should also cover simple techniques for building good community relations, such as holding meetings and posting flyers.

If the TNR program has the resources to support mass trapping, the workshop should teach attendees how to perform this method. Mass trapping involves catching and sterilizing an entire colony at the same time. Sterilizing a whole colony at once has many advantages over a slower “one-cat-at-a-time” approach—population stabilization and nuisance abatement are immediate; it is easier to accomplish than trapping cats piecemeal;

and less time and fewer resources are needed in the end. *The Neighborhood Cats TNR Handbook* and *How to Perform a Mass Trapping* video describe the method in detail, as does the HSU online course detailed above. The technique is also featured in the Imagine Humane Innovation Bank, a program of the ASPCA and PetSmart Charities (www.ImagineHumane.org; click on “Model Programs,” then “Feral Cats”).

Free or Subsidized Spay/Neuter Services

To implement TNR on a wide scale, access to affordable spay/neuter services is critical. Otherwise, costs are prohibitive and not enough cats can be sterilized to achieve a communitywide impact. The following are ways a TNR program can set up free or reduced-fee spay/neuter services.

Spay/Neuter Clinic

If a shelter participating in the program already runs a reduced-fee spay/neuter clinic, either in a fixed facility or from a mobile van, some portion of the surgeries may be allocated for ferals. If no clinics are available, assess whether the interest and resources exist in the community to start one. An excellent clinic model is the Humane Alliance Spay/Neuter Clinic in Asheville, North Carolina (www.HumaneAlliance.org). This reduced-fee, high-volume clinic averages 75 sterilizations of companion animals per day. In addition, the Humane Alliance operates a transport program to get animals to the clinic, as described in the December 2005 issue of *Animal Sheltering*[®] magazine (www.AnimalSheltering.org).

Other innovative approaches for providing affordable spay/neuter clinics include the Spay/Neuter Assistance Program (SNAP) Houston Mobile Clinic, which

operates a mobile surgery van to provide free spay/neuter services to low-income communities in Houston, Texas. The Shelter Outreach Services (SOS) program in upstate New York runs rotating high-volume/reduced-fee clinics throughout a 12-county region, while the Montana Spay/Neuter Task Force coordinates free spay/neuter clinics as part of “pet care” educational events. In the county encompassing Toledo, Ohio, Operation FELIX sets up MASH-style clinics and offers free spay/neuter for feral cats. To learn about each program in detail, go to the Imagine Humane Innovation Bank at www.ImagineHumane.org and click on “Model Programs,” then “Spay/Neuter.”

Private Veterinarian Network

Private practice veterinarians in the target community can be asked to help by providing subsidized services for feral cats. It sometimes can be difficult to recruit veterinarians. There may be little or no direct financial reward, and working with ferals may be more dangerous than working with pets if the veterinary staff is not properly trained. However, many veterinarians are aware of feral cat overpopulation and will assist as a matter of public service and as a way to build goodwill in the community. A good article to introduce veterinarians to the issue, “Caring for Feral Cats in the Clinic,” appeared in the August 2006 issue of *Veterinary Technician* magazine and can be found at www.hsus.org/feralcats.

When approaching potential veterinary recruits, you should respect their limits. Veterinarians or clinics must decide the volume of feral sterilizations they can comfortably handle. Whatever the amount, if the service is offered consistently, it will be a valuable resource. For example, in a community with a few hundred ferals, a private veterinarian network with the capacity to sterilize even five cats a week will mean a substantial percentage of the population will be neutered within a year. Even in communities with

much larger feral populations, the willingness of private veterinarians to handle a small number of cats on a consistent basis will allow the program to get under way while other efforts to increase spay/neuter capacity are pursued. Some veterinarians and their staff may need training on how best to handle feral cats, such as not transferring cats from traps into cages, using trap dividers to feed and clean up after cats, and correctly performing eartips.

Existing reduced-fee spay/neuter certificate programs are a good place to begin looking for veterinarians who might be willing to participate in a TNR program. These programs include networks of veterinarians who perform spay/neuter services at steeply discounted rates. While most of the network’s veterinarians will focus primarily on pets, many may also be willing to provide the same service for ferals. Check with the two national certificate programs for a list of participating veterinarians in your area: SPAY USA (1-800-248-SPAY; www.spayusa.org) and Friends of Animals (1-800-321-PETS; www.FriendsofAnimals.org). SPAY USA may have already screened its network in your area for veterinarians who are feral-friendly. Also, check with nearby shelters and humane organizations to see if there are any local certificate programs. For example, the Muffins Pet Connection (www.muffins.org) certificate program serves New York City and surrounding areas.

Operation Catnip in Gainesville, Florida, is another good example of how private veterinarians can be involved in TNR programs. Operation Catnip runs its own no-cost feral spay/neuter clinic but also networks with local veterinarians through a voucher program. Caretakers pay \$25 for a spay/neuter voucher that can be redeemed at participating veterinarians. The voucher system has substantially increased the program’s number of sterilizations and is described in detail on the Imagine

Humane Innovation Bank website (www.ImagineHumane.org; click on “Model Programs,” then “Feral Cats”).

When working with private veterinarians, be sure to follow their procedures, including advance notification that cats are coming, adherence to drop-off and pickup times, and timely payment of bills. A common complaint by veterinarians is that caretakers believe their needs should take precedence over the clinic’s normal day-to-day operations. In fact, the reverse is true—the caretaker must learn to fit appointments into the veterinarian’s routine to ensure discount veterinary services continue to be provided.

One way to avoid problems is to assign someone to act as gatekeeper and contact person for the private veterinarians. Only this coordinator would be authorized to schedule appointments and handle communication with the clinics. Trappers or other program participants could drop off and pick up cats but would otherwise be barred from any direct dealings with the veterinarians or their staff. Not having a single coordinator can lead to confusion, such as trappers dropping off cats at unexpected times or caretakers calling the clinic and scheduling appointments without the program’s knowledge or approval. If this occurs, the program could lose the veterinarian’s participation.

Mass Spay Days

An increasingly popular approach for feral cat spay/neuter is the mass spay day. These clinics bring together veterinarians, veterinary technicians, and volunteers to neuter a large number of cats in one or two days. Sterilizing 100 cats in a day is common. Professional services and space are usually donated, allowing the sterilizations to be provided for free or at low cost.

This method has the advantage of making it much easier for veterinarians and veterinary staff to participate in a TNR program. Instead

of trying to work feral cat spay/neuter into their private practices, they can donate one day a month, for example, and still make a significant contribution. There are also savings from not having to maintain a fixed facility and from having economies of scale.

The Feral Cat Coalition of San Diego, California, pioneered the mass spay day model. The group offers a complete protocol on how to organize and run this type of clinic on its website (www.feralcat.com/pindex.html).

Veterinary Protocol

At a minimum, the standard veterinary protocol should include spay/neuter, ear-tipping, and rabies vaccination. Whether additional services are offered will depend on the program’s resources. Some clinics take the approach that the spay/neuter surgery may be the only time the cat gets veterinary treatment, so they also administer flea and ear mite medications, check for wounds, and perform basic dental work. Price-wise, these ancillary services can be included as part of the standard package offered to the caretaker, or they can be offered at steeply discounted rates.

Most TNR programs do not include other vaccinations in their standard protocol. According to the manufacturers, most vaccines require a booster a few weeks after the initial shot to be effective, such as the “three-in-one” vaccination for distemper, calicivirus, and rhinotracheitis. This is obviously impractical in the context of TNR. In addition, most feral adults appear to develop a natural immunity to these diseases when they are provided with adequate food and shelter.

Most TNR programs do not routinely test healthy cats for feline immunodeficiency virus (FIV) or feline leukemia (FeLV). The primary reason is economic. Studies show the percentage of feral cats with FIV or FeLV ranges from two to six percent, similar to the pet cat population. To pick out two to six positive cats thus requires testing 100 ferals—a

potentially expensive proposition, especially in a high-volume program. These funds could be better spent on sterilizations in order to further the program's primary goal of population reduction.

Even in terms of preventing the spread of disease, sterilizing ferals may be more economically efficient than testing because sterilization cuts down on the modes of transmission, as FIV is transmitted primarily through deep bite wounds and neutered male cats will fight much less often. FeLV infection, which affects mostly kittens due to their undeveloped immune systems, is either reduced or eliminated. FeLV transmission through sexual activity is also eliminated.

Another reason to avoid testing is that it can discourage caretaker participation. Programs that test usually require euthanasia of positive cats, even if the animals are asymptomatic. The fear that cats may test positive and be euthanized even though they appear healthy will make some caretakers shy away from the program. Of course, testing should always be conducted if the cat in question is removed from the colony and made available for adoption or if the cat appears ill.

Microchipping feral cats is still a relatively new concept, and it is yet unclear whether the benefits justify the additional expense. The theory is that when an eartipped cat is brought to a shelter, a microchip will identify the caretaker and greatly facilitate the return of the cat to his or her colony. But this requires shelters to have the necessary equipment and to routinely scan eartipped cats—currently not a common practice. Furthermore, the need for microchip identifications is questionable when it comes to feral cats. Ferals are extremely territorial. If the trapping location is known when the cat enters the shelter, it can be assumed the cat's colony is in that area. If a colony registration system is in place (see Chapter 7),

then the caretaker could be found by referring to registered colonies at or near the site of the trapping.

Equipment

Without traps, there is no TNR, so ensuring an adequate supply of equipment is a major priority for a TNR program. The type of trap needed will depend on the program's protocol for handling the cats after they are captured. Neighborhood Cats trains caretakers to keep the cats confined in their traps at all times except during the spay/neuter surgery. In effect, the trap doubles as a cage, both before and after surgery, in which the cat will remain for several days. This technique has several advantages over transferring the cats from the traps into traditional cages. The risk of escape or injury is avoided, costs are reduced because a separate, standard cage is not needed for each cat, and less space is needed to house the cats during a project, making it possible to TNR entire colonies at once. Detailed instructions on how to care for feral cats in traps are contained in *The Neighborhood Cats TNR Handbook*, the *How to Perform a Mass Trapping* video, and the HSU online course *Trap-Neuter-Return: How to Manage a Feral Cat Colony*.

Many people, including some experienced animal control personnel, may at first believe that it is inhumane to confine a feral cat in a trap for several days. This belief reflects a misunderstanding of a feral cat's nature. When confined, ferals prefer tight, covered spaces to large, wide open ones. A feral cat put in a large cage with a small carrier in the corner will spend almost the entire period of confinement inside the carrier, coming out only to eat or eliminate. It actually would be inhumane to place a feral into a large cage without a smaller container of some type, such as a carrier, for the cat to hide in. When confined in a trap kept covered with a sheet,

a feral cat feels more secure and not exposed. As long as the traps are cleaned twice a day, the cats adjust and appear relatively comfortable.

In order for traps to double as cages, a length of 36 inches is optimal and a rear door is mandatory. The standard trap used by Neighborhood Cats is the Safeguard Large Raccoon (Model SG-36D). It is economically priced, well built, and easy to use. Other brands and types of traps are discussed in detail in *The Neighborhood Cats TNR Handbook* and the HSU online course *Trap-Neuter-Return: How to Manage a Feral Cat Colony*. Note that the Safeguard trap, as well as similar models by other manufacturers, needs a slight adaptation when being used to catch ferals. Box traps such as this model work by placing bait at the rear of the trap. The cat walks in and, on the way to the bait, steps on a trip plate that triggers the shutting of the front door. To avoid having cats step over the trip plate, you should extend the plate by taping a piece of cardboard to its middle.

To care for a cat in a trap, “trap dividers” or “trap isolators” are needed. Dividers allow the cat to be sectioned off in one end of the trap while the caretaker opens the other end to feed and clean. (This is why the trap must



With a slight adaptation to the trip plate, the Safeguard Large Raccoon trap works well for feral cats—it's well priced and easy to use.



Using a pair of trap dividers, such as the Tru-catch model TD-2 shown here, caretakers can safely feed confined cats and clean the traps.

have a rear door.) The proper use of dividers is taught in the educational materials mentioned above. For safety purposes, always use two trap dividers at a time.

Almost every trap manufacturer offers its own brand of trap isolator. However, Neighborhood Cats has found that the safest divider for use in feeding and cleaning up after confined feral cats is the Tru-catch model TD-2. In Neighborhood Cats' experience, other brands of isolators fit awkwardly into the traps or are not made of a strong enough material and bend too easily, leaving too much of a gap between prongs. The Tru-catch model TD-2 will work with any trap brand.

In terms of quantity, the program should have enough traps to maximize use of available spay/neuter capacity. Otherwise, lack of equipment could slow the pace of sterilizations. In deciding how many traps to purchase, keep in mind that once a cat is trapped, the trap becomes unavailable for catching more ferals until the cat is released. A good rule of thumb is to have twice as many traps as the available spay/neuter

capacity at any one time. If the program can provide 10 sterilizations a week, it should possess 20 traps. That way, while 10 cats are confined in traps and being neutered and then recuperating, the trapping of the next 10 cats can be taking place. This guideline does not apply if the interval of time between spay/neuter dates is longer than a week or two. For example, if surgeries are conducted only once a month, then enough traps to fill the slots available on the spay/neuter date is sufficient.

Regarding trap dividers, it is not necessary to purchase a pair of dividers for each trap. A caretaker feeding and cleaning up after cats confined in several traps needs only one pair; having one pair for every four or five traps should be sufficient.

Trap Banks

If the program is lending traps and dividers to caretakers and volunteers, certain policies and procedures are recommended. First, have borrowers of the equipment sign a trap loan agreement such as that in Appendix E of this manual. Note that this sample contract contains a “release from liability” clause among its provisions. However, as discussed earlier, training may still be necessary to avoid liability. Feral cats can be dangerous if a person does not know how to use a trap or handle a cat after capture. If injury occurs, the program may end up being judged negligent and held liable for lending out the equipment to an untrained person, despite the release clause.

Requiring deposits is optional, but inevitably traps will be lost or damaged, and deposits help protect against financial loss to the program. It can be prohibitively expensive to require a full deposit for each trap if a borrower wants a large number of them. In such cases, one possibility is to charge a lump sum, such as \$100, for however many traps are lent. The purpose is to create enough of an incentive for the person to return the

equipment without creating a financial barrier to people wishing to borrow traps.

A trap bank protocol similar to the one in Appendix K is suggested so that equipment is returned clean and in a timely manner. If the program has a large number of traps and serves multiple borrowers at any one time, appointing a “trap bank manager” is highly recommended. This person would be responsible for arranging pickup and return of traps and for keeping track of where the equipment is located and when it is available for use by others.

Holding Space

In a TNR project, the trapping may begin a few days before the spay/neuter surgery. During the trapping period, the cats must be held somewhere after they have been caught. A holding space is also needed after the spay/neuter to allow a recommended 48 hours of recovery before release (see following section for discussion of recovery time). In addition to the space itself, personnel are needed to feed and clean up after the cats during their confinement.

Some veterinarians or clinics may be willing to take the cats in as they are trapped, perform the spay/neuter, and then board them until they are ready to be released. But in most cases, the TNR program will have to arrange for holding space and personnel to care for the cats. A holding space, in general, can be anywhere that is warm, protected from the elements, and secure against intrusion by strangers or other animals. Examples include a basement, empty room, or garage.

A key decision is whether to make the TNR program or the caretakers responsible for providing and staffing the holding space. One obvious factor in this decision will be whether the program has access to suitable space. If not, there may be no choice but to place the responsibility on caretakers.

Another factor to consider is the program's scope. If numerous TNR projects will be going on at any one time and large numbers of cats sterilized on an ongoing basis, it would likely be impractical for the program to supply and staff an adequately sized holding space. Thus, a large-scale grassroots program may need to require that caretakers provide holding space for their cats and care for them during their confinement. On the other hand, an expert program dealing with a relatively small feral population might make faster progress by using its own holding space and personnel.

Even when holding space is made primarily a caretaker responsibility, it can still be advantageous if the program can at least occasionally provide some space itself. This may allow projects to go forward when caretakers are unable to locate their own spaces.

Postsurgery Recovery Time

Following spay/neuter surgery, feral cats should be given time to recuperate before return. Recovery time allows for surgical wounds to adequately heal, cats to regain full alertness, and caretakers or program workers to watch for possible postsurgical complications. Neighborhood Cats recommends 48 hours of recovery time for both males and females. After 48 hours, if the cats are alert and show no signs of ill health, they can be safely returned to their territory.

Some reputable TNR organizations hold ferals for only 24 hours before return, especially males. There is no hard data to prove whether or not this is as safe as 48 hours. Providing less recovery time does make the TNR process easier by reducing the amount of time a holding space is needed. However, it is likely that the lesser time also increases the risk, if only slightly, of postsurgical complications going undetected. Each program

will need to decide for itself the balance between expediency and ensuring the cats' health.

A few TNR programs return the cats without any recuperation period—as soon as they are awake from the surgery. Most feral cat experts consider this practice too risky and too much of a nod toward expediency. Anecdotal evidence is abundant of cats bursting their sutures upon release directly after surgery. Also, there is no opportunity to watch for postsurgical problems, which do occur on occasion (such as prolonged grogginess and bleeding from incisions). For these reasons, recuperation time is encouraged.

Some programs hold the cats for more than 48 hours, sometimes even up to a week or more. Holding female cats for 72 hours is generally considered acceptable due to their more extensive surgeries. However, holding otherwise healthy ferals beyond 72 hours is not recommended. Confinement stresses them, and after three days the recuperation period can cause more harm than good. This does not apply if the cats are ill and need special treatment; in such cases, they should be confined for as long as necessary.

One special case involves female cats who are nursing. If the kittens might be in danger without their mother, she can be released 24 hours after the surgery, assuming she is alert and there are no signs of postsurgical complications. In this case, the risk to the kittens may outweigh giving the mom more time to recover. Contrary to many people's belief, mother cats can still nurse after being spayed.

Trappers

A program operating under an expert model will need its own trained trappers to send on projects. A grassroots program can also make use of expert field personnel. Experienced trappers, whether program employees or volunteers, can be sent to assist inexperienced

caretakers with the more difficult parts of their projects, such as the first day of a mass trapping. The New York City Feral Cat Initiative regularly uses “TNR coaches” in this manner and has found that having an expert on site often greatly improves the effectiveness of the trapping.

Expert trappers are also useful for a TNR program, whether a grassroots or expert model, in addressing other challenging situations. Picking out a pregnant cat or catching a feral who is trap shy may require use of a drop trap, a more sophisticated piece of equipment that requires an expert’s hand. Ensuring the success of a high profile project is also a good reason to bring in experienced personnel.

Another model of using experts as part of a grassroots program is IndyFeral’s Cat Captain program in Indianapolis. In each neighborhood, IndyFeral designates an experienced volunteer to advise less experienced caretakers in that area. To learn more about the Cat Captain program, see the full description in the Imagine Humane Innovation Bank at www.ImagineHumane.org (click on “Model Resources” and then “Feral Cats”).

Whether an expert or grassroots approach is undertaken, an agency with its own animal control officers may be able to draw upon them to provide expert assistance for a TNR program.

Transport

Transportation of the cats may be needed at various times during a TNR project, such as bringing cats from the colony site to the holding space during the trapping period, transporting them to and from the spay/neuter clinic, and returning them from the holding space back to their territory for release. Who provides this transportation—the program or the caretaker—largely depends on the program model. If experts do all or most of the hands-

on work, then they will be the ones handling and transporting the cats in either their personal vehicles or vehicles supplied by the program. In a grassroots program, arranging transportation usually becomes the responsibility of the caretaker because it would be impractical and too costly for the program to arrange it for every project. As with holding space, a grassroots program could provide transport in situations where it would make the difference between a project happening or not.

Food Drives and Giveaways

An excellent way to increase caretaker participation in a TNR program is to supply free or steeply discounted food for colonies. Even if the food giveaways provide only a portion of what is needed, the money saved can still be important for caretakers, especially those on fixed incomes. Food giveaways also build goodwill for the program by demonstrating concern for the cats and their caretakers.

Food drives can be organized in a number of ways. The public can drop off food at a central location during a certain time of year. This type of food drive can be particularly effective during the holiday season from Thanksgiving through Christmas. Another approach is to make a food drop-off part of another event, such as a fund-raiser or adoption fair. A third method is to have “food bins” placed in strategic retail locations, such as pet supply stores, where people can place donated food. This “point-of-purchase” approach can be a win-win for the program and the retailer, as it encourages shoppers to purchase goods for donation.

Depending on available storage space, donated food can quickly be distributed to caretakers as it is received, or it can be parceled out gradually over time.

Animal Control Policies

If an agency with animal control responsibilities is administering or participating in a TNR program, certain policies could help further the TNR mission. The feasibility of the suggestions offered here may depend on local laws or the terms of a municipal contract for providing animal control services. These will need to be carefully examined before any changes are implemented.

One significant way animal care and control agencies can support a TNR program is by providing notification when eartipped cats are brought to their facilities. If the animal control agency is running the TNR program itself, it can attempt to locate the caretaker in order to return the cat to the colony and assist in resolving the problem that led to the cat coming to the shelter in the first place. If another group is the lead agency, animal control can notify the organization and hold the cat long enough for a reasonable effort to find the caretaker to be made. The participation of caretakers in a TNR program is greatly encouraged when they know their cats will benefit from this safety net.

Another substantial contribution can be the referral of complaint calls from the shelter to the TNR program. By recommending TNR and/or providing resources to implement it, animal care and control can hasten the program's acceptance in the community. This is particularly true if the community in general is unfamiliar with TNR and unaware of its advantages.

Depending on local laws or the terms of a municipal contract, animal control may be able to further a TNR program by refusing to send its personnel to trap and remove feral cats. This may mean a sharp departure from past practices but often can be justified. For example, in New York City, there are

approximately 14 animal control officers in the field at any one time and at least tens of thousands of feral cats. Sending individual officers to trap ferals has no chance of improving the overall situation, while encouraging the public to sterilize the cats might. In a smaller community, animal control officers might find they are repeatedly trapping ferals from the same location with no obvious improvement in the situation over time. Here too, a break from past practice might make the most sense.

Another TNR-supportive policy is not lending traps to individuals who will use them to capture and surrender feral cats. Contractual terms may need to be amended if providing traps to the public is part of the agreement between the animal control agency and the municipality being served.

Releasing Ferals from Shelters

As mentioned previously, if an eartipped cat is brought into a shelter, it is a good practice to release the cat back to the caretaker if the caretaker can be located. This strengthens the practice of TNR and makes the shelter an important partner in the effort to manage and protect the cats. Efforts should be made, if possible, to identify and resolve the reason that the cat was captured and brought in.

If the caretaker of an eartipped cat cannot be located, or if the feral cats in the shelter are not eartipped and part of a managed colony, another group or individual may request their release. The person making the request may want to integrate the cat into his or her own managed colony or take custody of several unclaimed ferals and start a new one. There are a number of factors to consider when evaluating this type of request.

The proper introduction of feral cats to a new location is not easy and involves some period of confinement in the new territory. Ideally, the confinement would last for two to three weeks, to give the cats time to learn that their food source has changed. A feral cat released with no period of confinement is likely to immediately run away.

Additionally, the history of the reliability of the group or individual requesting release of the ferals should be assessed. The requesters should be committed to providing long-term care and be available to deal with any problems that may arise. Ultimately, the decision is up to the shelter. No one should assume that they have a right to “adopt” feral cats more easily than they could adopt tame cats.