

# Legal Meets Best Practices

## Part 1

### **Bruce Wagman, Attorney Lead Counsel**

San Francisco SPCA  
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Maddie's® Million Pet Challenge  
UC Davis Koret Shelter Medicine Program



# 3 Ways We'll Share Today's Resources



QR Codes

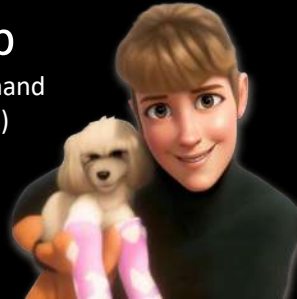


Website Links



Resources Tab

(Maddie's University on-demand recorded webinar version)



# Using Webinar Quick Response (QR) Codes



We'll share links and resources using QR codes.



Use your phone's camera and point it at the QR code.



Click the website link that appears on your screen in yellow.



Phone browser will take you to the website or resource.



Save the resource or the website for future access.



# Q&A During this Webinar

Got questions?

We have (or will  
find) answers.





# Q&A During this Webinar

Please use the Q&A Box in this Zoom webinar to submit your questions.

If you put one in the chat we'll ask you to move it over so we don't miss it.

We'll gather those up and post responses after the webinar to an event Discussion Thread on Maddie's Pet Forum.

Visit the post-event Q&A here:  
<https://tinyurl.com/LMBP-QandA>  
Or scan this QR code.



# Your Webinar Hosts



**Cindi Delany, DVM**  
**Director of Online Learning**  
Maddie's® Million Pet Challenge  
UC Davis Koret Shelter Medicine Program



**Bruce Wagman, Attorney**  
**Lead Counsel**  
San Francisco SPCA  
Shelter PALS Program



# Huge Thanks to....



<https://shelterlearniverse.com>



[www.maddiesfund.org](http://www.maddiesfund.org)



# Huge Thanks to....



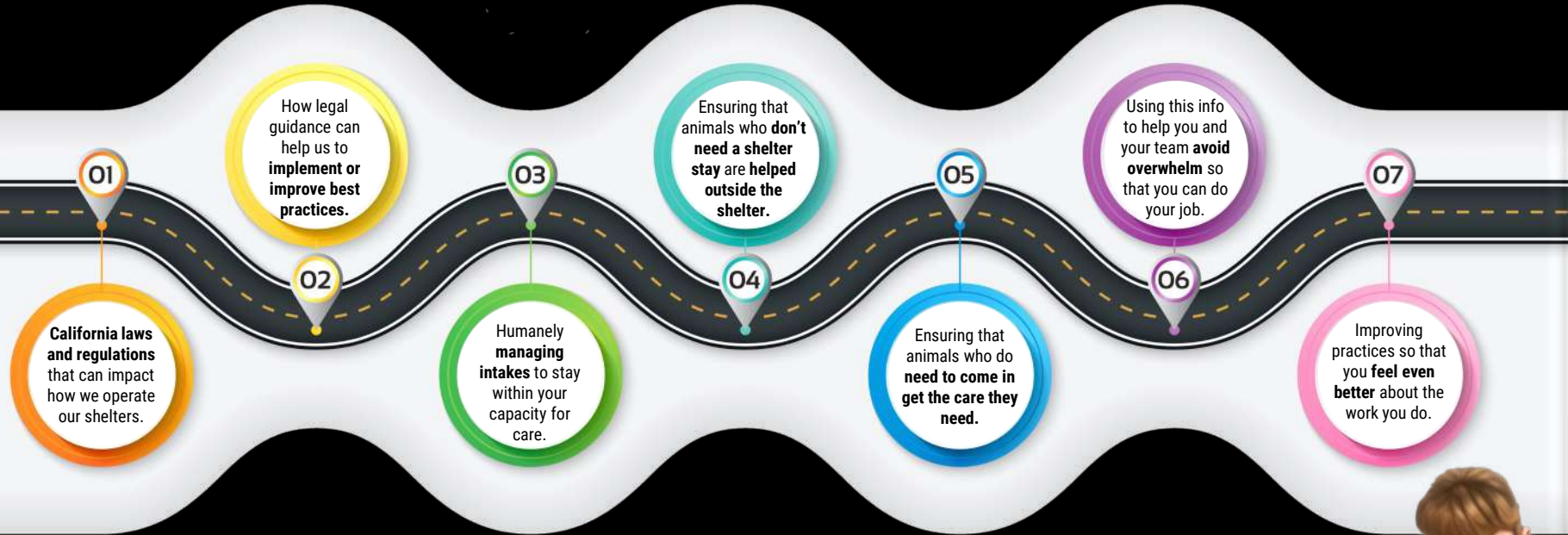
[www.sfspca.org/about/advocacy](http://www.sfspca.org/about/advocacy)



[www.calanimals.org](http://www.calanimals.org)



# What are we talking about in this webinar series?





**Let's dive in  
and see how  
we can help  
legal and best  
practices work  
together.**







# Based on Real Life Cases

(names have been changed to protect the innocent 😄)



# Participate During the Live Webinar!

OR  
Type link into  
browser!

<https://tinyurl.com/Learniverse>

Scan this code with phone's camera!

Respond to the questions shared.

SAME QR code/link for all poll questions during the live webinar.  
Questions will be sent to your device.

3D illustration of a woman holding a dog.

# Let's Test Out Our Polling System...



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# Cats and Shelters

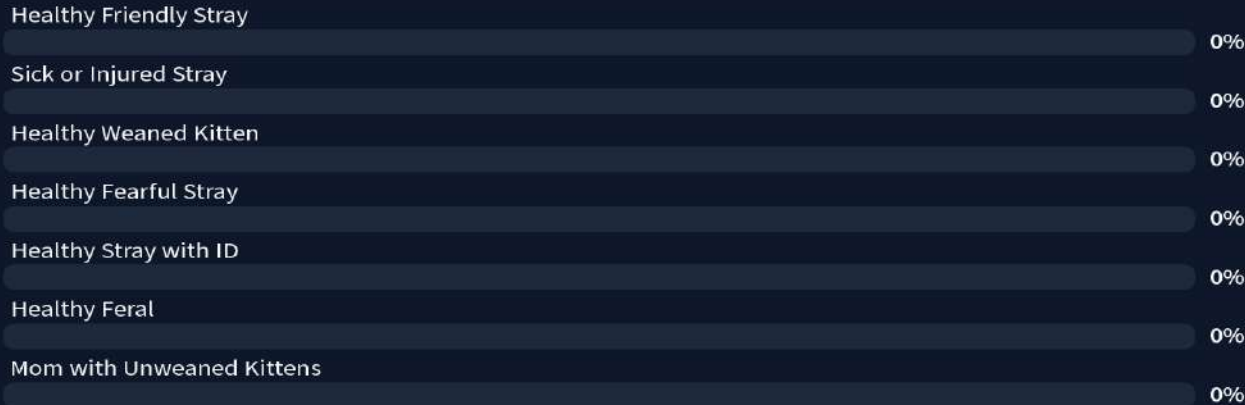




# Let's Talk About Cats



Which of these types of cats does your shelter currently impound with a full stray holding period?



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Start the presentation to see live content. For screen share software, share the entire screen. Get help at [pollev.com/app](https://pollev.com/app)



# Best Practices - Cats and Shelters – Community Cats

Which cats  
should be  
impounded?





# Best Practices - Cats and Shelters - Impounds



# Best Practices - Cats and Shelters – RISK TO CAT



# California State-Mandated Shelter Intakes for Cats

**Yes!**

Sick  
Injured  
Orphaned Unweaned

At Risk in Current Location

Public Health and Safety  
Includes Rabies Holds

Other Legal – Cruelty Case, Abandonment,  
etc. (specific instances only) – more about  
this next week in Part 2.

**No!**

Orphaned Weaned

Lacking Access to Wellness Care  
Community Member Minor  
Concern

Lack of Access to Basic Resources

Owner Would Like to Rehome

Safekeeping  
(when there are  
other options)

Good Health  
Has Access to Resources  
No Risk in Current Location



# California State-Mandated Shelter Intakes for Cats

There is no California state requirement to intake owner-surrendered or healthy unowned stray dogs and cats.

State law requires public (not private) shelters to intake all “stray or abandoned” (owned or showing indications of ownership such as a collar/tag, valid microchip) dogs and cats in danger or need of medical attention.

**More on this in Part 2 of this Webinar Series.**



# California State-Mandated Shelter Intakes for Cats

Sick  
Injured  
Orphaned

Orphaned Weaned

Your shelter might be subject to additional local **ordinances or contracts** impacting which cats you must take in.

Wellness Care  
Minor Concern

Ordinances and contracts **can potentially be changed** if they are creating an unreasonable burden for your facility.

Public Health  
Includes Rabies

to Rehome

Other Legal,  
Safekeeping, etc.

Sources  
Current Location



## Best Practices - Cats and Shelters - ALTERNATIVES

Good Health

Has Access to Resources

No Risk in Current Location





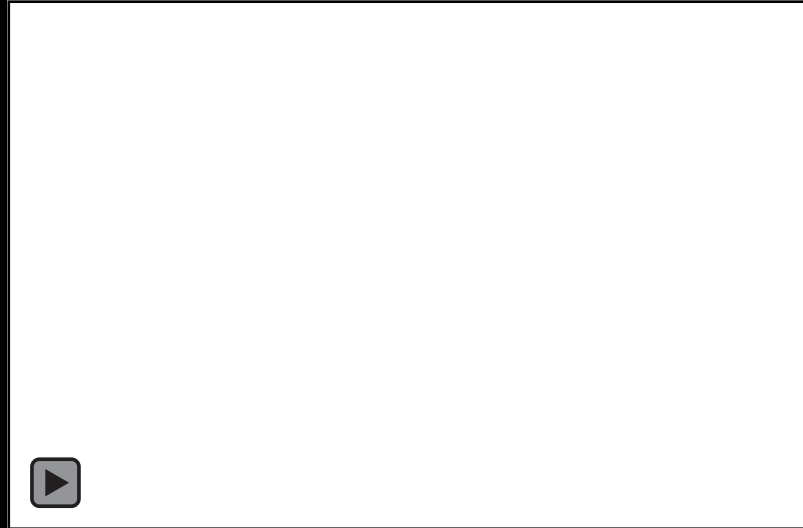
# Best Practices - Cats and Shelters - ALTERNATIVES

**Let's talk  
about....  
Community Cats**



# Best Practices - Cats and Shelters – Community Cats

**What is a  
community  
cat?**



## Best Practices - Cats and Shelters – Community Cats

**Any domestic cat,  
with no indication of  
ownership,  
who lives primarily  
outside.**



# Best Practices - Cats and Shelters – Community Cats

**What does a  
community  
cat look or act  
like?**



# Best Practices - Cats and Shelters – Community Cats

Healthy Fearful Stray



Sick or Injured Stray



Healthy Weaned Unowned Kitten



Healthy Friendly Owned Outdoor Cat



Healthy Stray With ID



Healthy Feral



Unowned Mom With Unweaned Kittens



# Types of Community Cats – Based on Behavior

## “Feral”

California Food and Agricultural Code  
Section 31752.5:

“**without owner identification** of any kind whose usual and consistent temperament is **extreme fear and resistance** to contact with people”

## “Friendly”

Nonferal, i.e., **approachable and socialized** but remaining “**free-roaming**” or living primarily outside

## “Fearful”

Has lived with (or been cared for by) people and not truly feral but **fearful in general or in certain situations**





# How did we historically deal with community cats in public shelters?

## “Feral”

Most often taken in as strays and  **euthanized**  at the end of the stray hold.

In some shelters diverted to TNR program.

## “Friendly”

Taken in as strays and  **offered for adoption**  if not redeemed.

Could be good outcome if enough adopters for type of cat.

But...often inadvertently removed cats from existing homes where they were thriving and loved.

And, more often impacted homes with less access to resources.

## “Fearful”

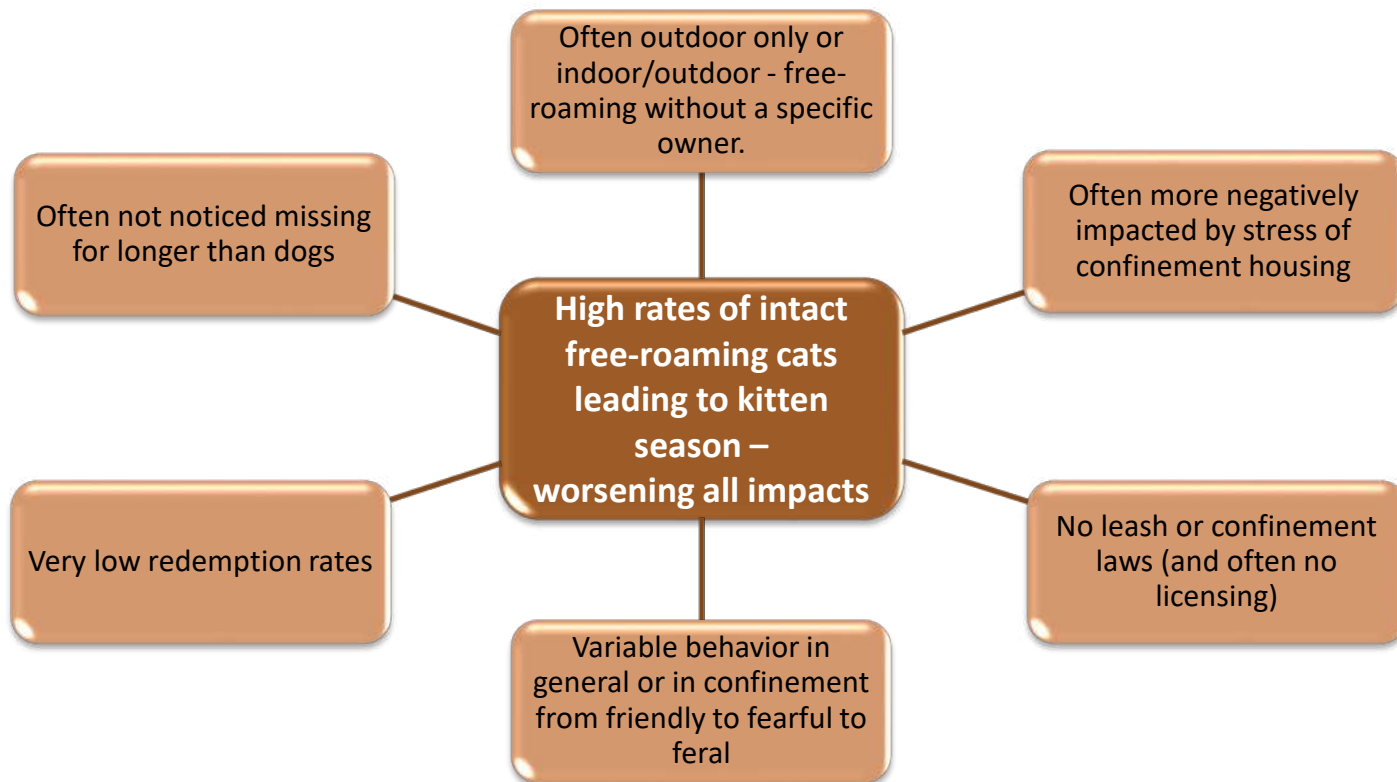
Taken in as strays and  **offered for adoption**  if not redeemed.

**Often no adoption option**  due to being fearful.

And, often removed cats from existing home plus more likely to impact a loving home with less access to resources.

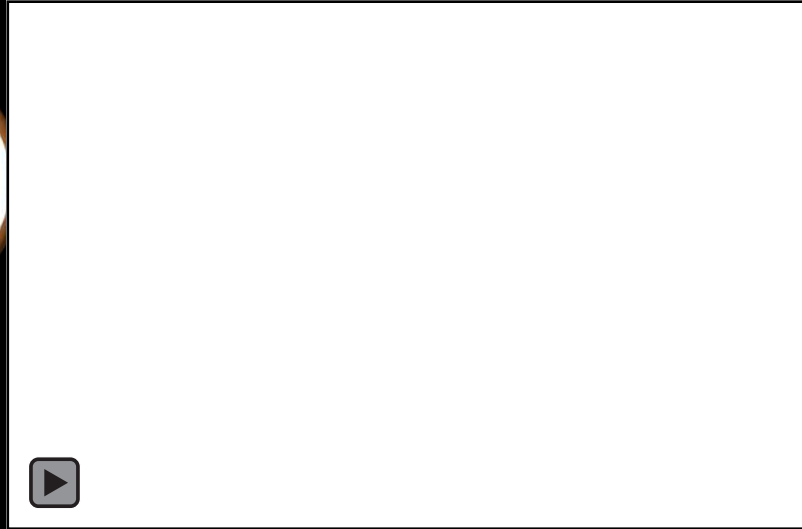


# Why are cats different than dogs in the shelter system?

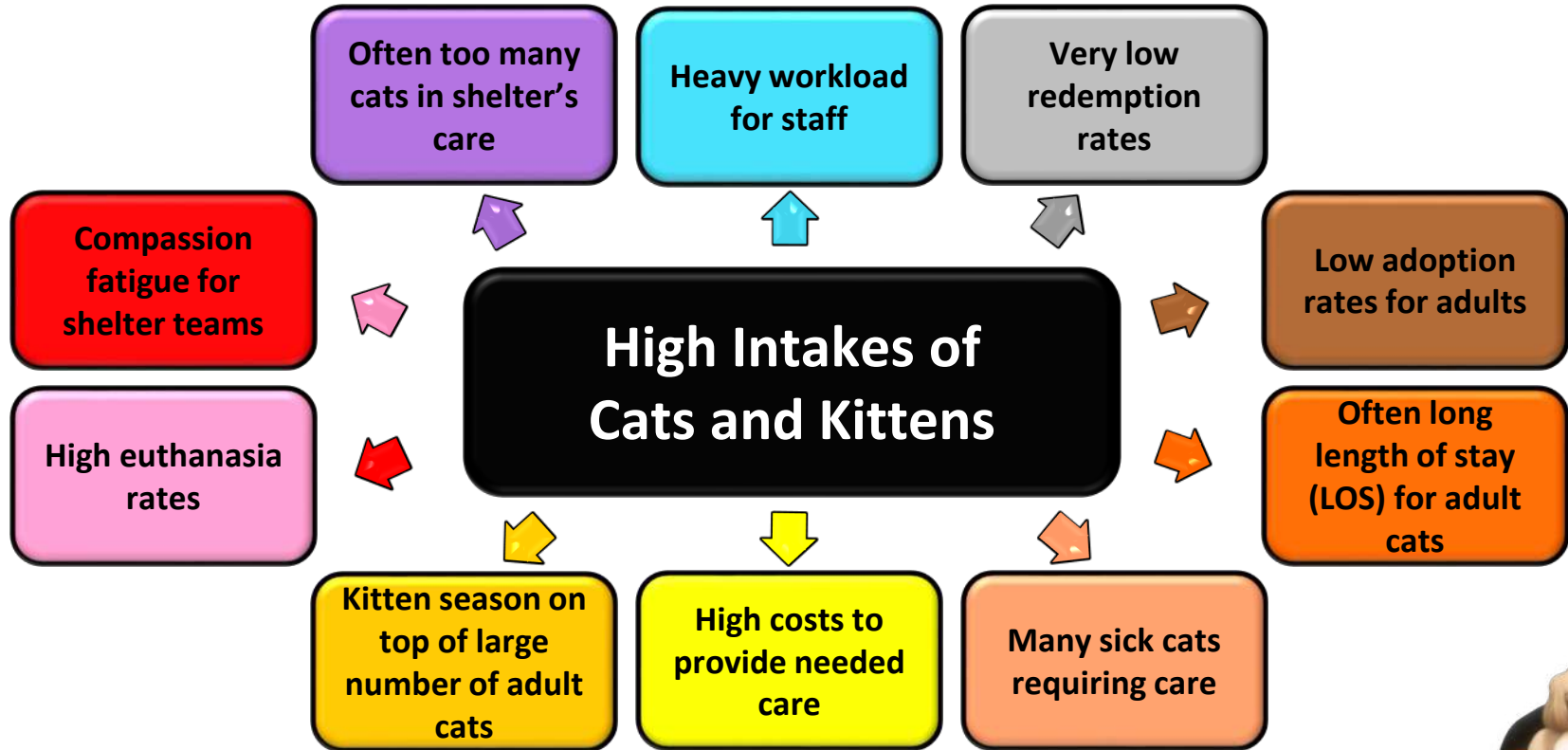


# Best Practices - Cats and Shelters – Community Cats

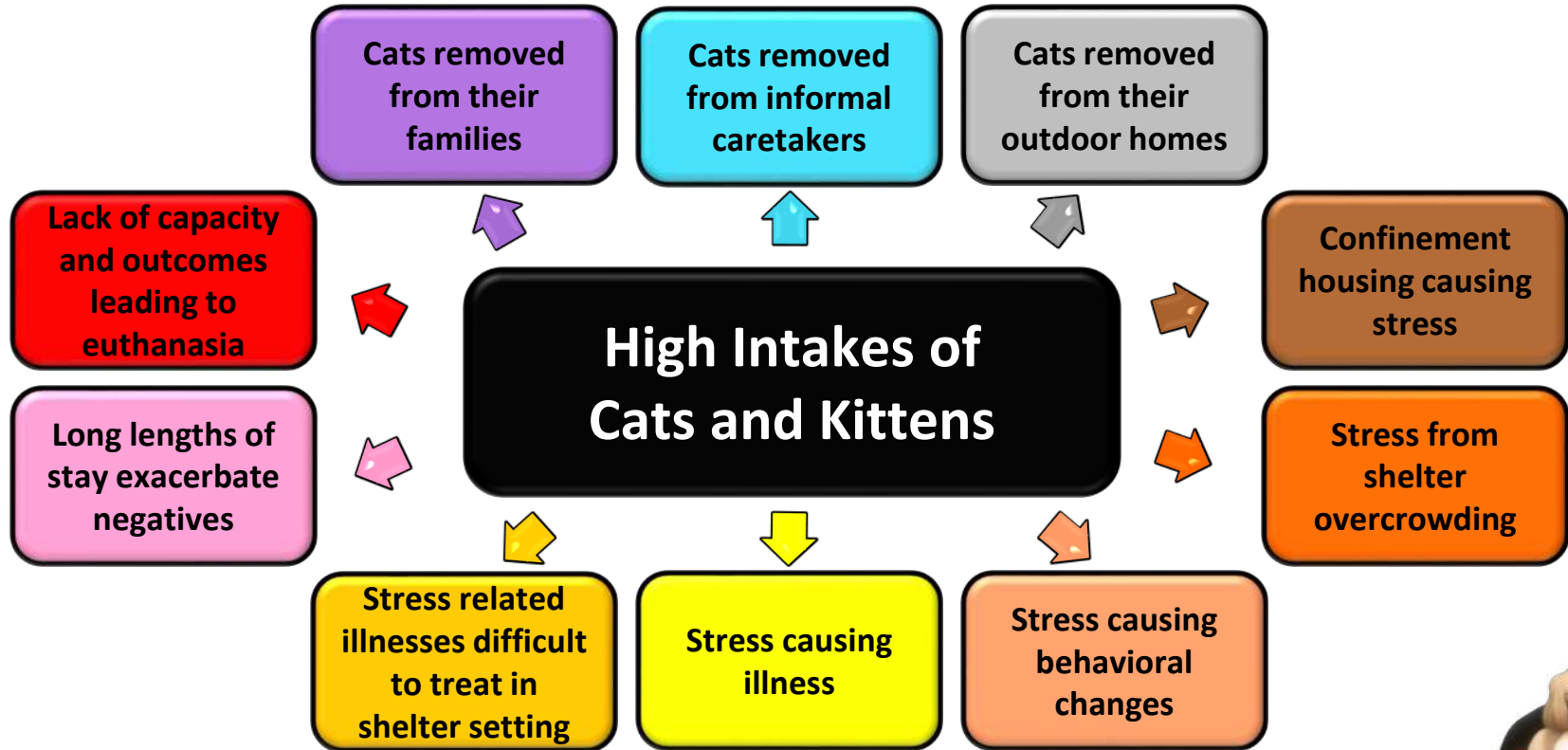
**Why do  
community  
cats matter?**



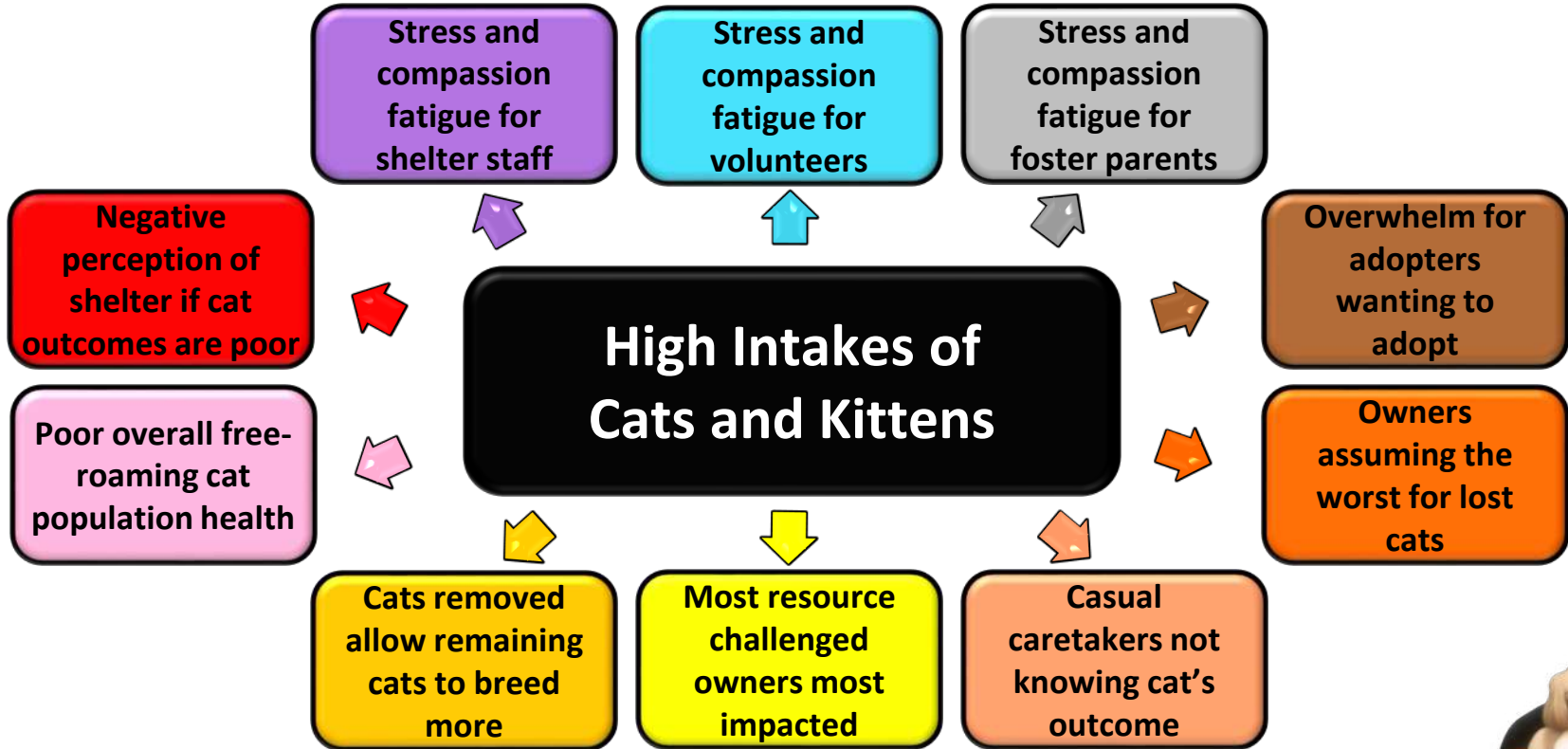
# Impacts of Cats on SHELTERS



# Impacts of Shelters on CATS



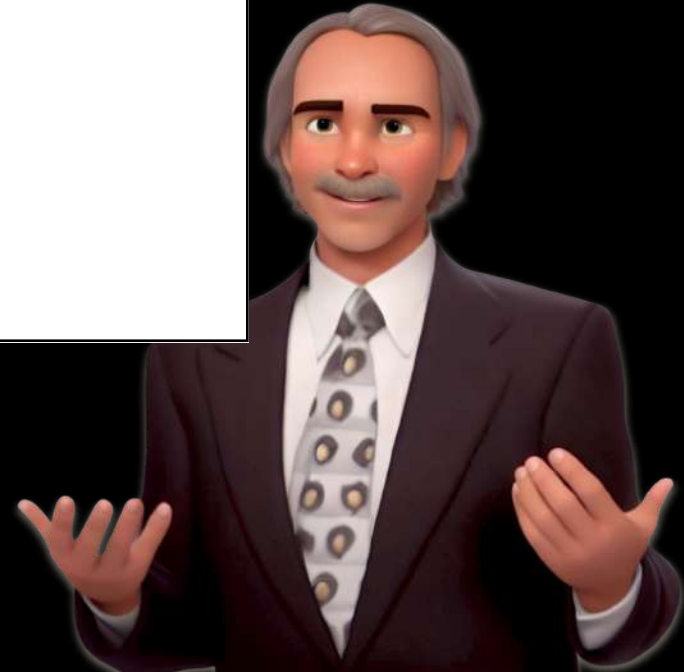
# Impacts on PEOPLE and COMMUNITIES





# Legal Tips - Cats and Shelters – Community Cats

**What is a  
community  
cat program?**



# Legal Tips - Community Cat Programs (CCPs)

## What They Are

- Program that involves the collection of community cats for appropriate **population and disease control services**
- Followed by **returning cat to where it was found**

## Typical Care

- Wellness Check
- Spay/Neuter
- Ear Tipping
- Vaccination (typically FVRCP combo type and Rabies vax)
- +/- other Wellness/Preventative care based on shelter policy
- +/- other minor care

## Previous Names

- **TNR** = “trap, neuter, return”
- **SNR** = “spay/neuter, return”
- **TNVR** = “trap, neuter, vaccinate, return”
- **RTF** = “return to field”



# Legal Tips - Cats and Shelters – Community Cats

**Which cats  
are eligible  
for CCPs?**



# Cats Eligible for Community Cat Programs

**Yes!**

Unowned – no evidence of ownership (no collar, collar with no ID, or no valid microchip)

Healthy (no obvious significant medical issues requiring ongoing care)

Feral

Fearful

Friendly

**No!**

Sick

Injured

Owned – evidence of ownership (collar, collar with ID, valid microchip)

Orphaned Unweaned

Underweight/Unthrifty



# Cats NOT Eligible for Community Cat Programs

Cats/Kittens NOT eligible for CCP programs should be taken in as strays instead if they require shelter intervention and are mandated intakes OR shelter has capacity for appropriate care.

**No!**

Sick

Injured

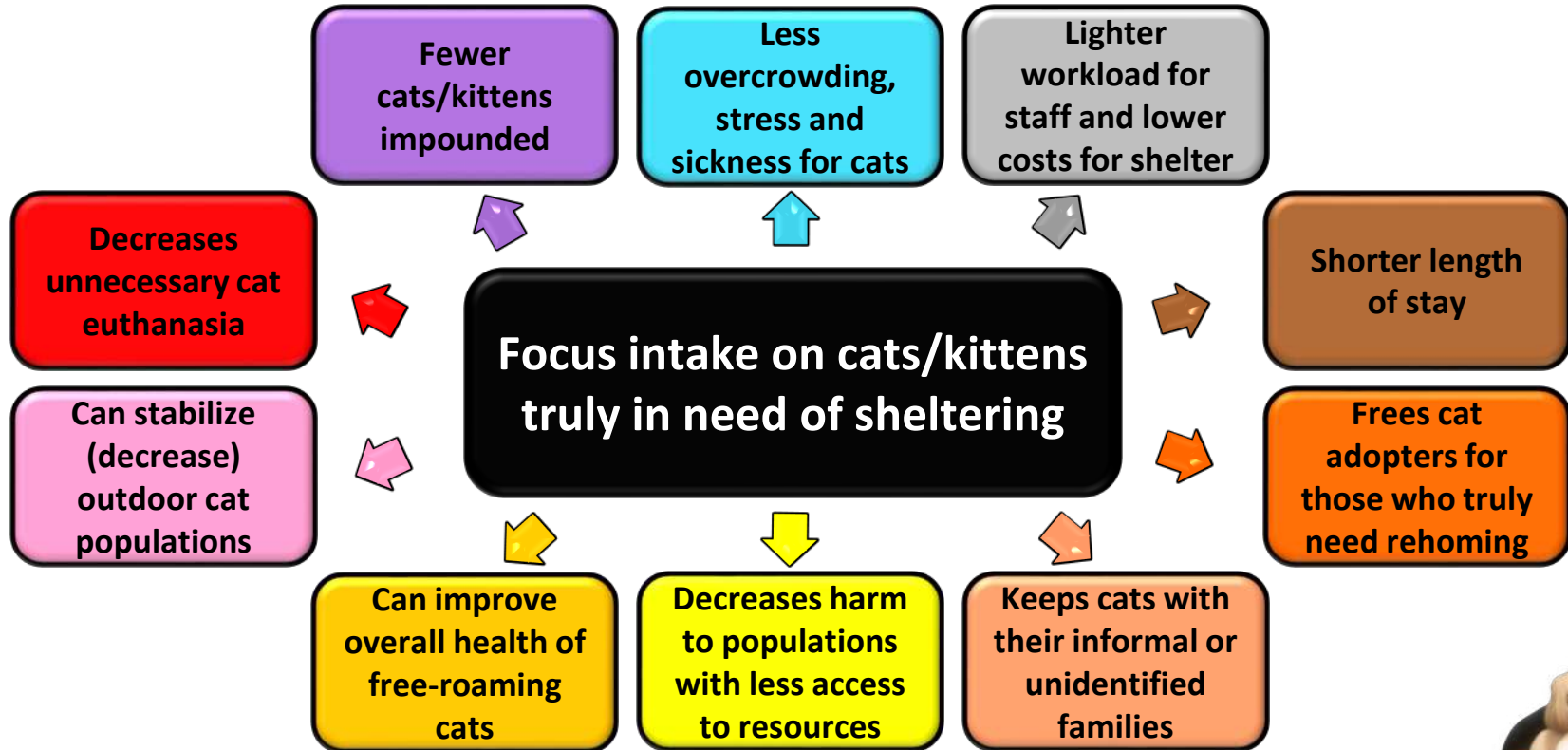
Owned – evidence of ownership (collar, collar with ID, microchip)

Orphaned Unweaned

Underweight/Unthrifty



# Benefits of CCPs – Why They are a Best Practice





Let's dive  
into a  
case  
study!







# Case Study #1



## Freddie the Firmly Feral Tomcat

### History:

Trapped by experienced cat caretaker in the community.

### Appearance:

Weight appears good/good body condition score (BCS = 5/9), appears healthy.

### Behavior:

Displaying behaviors including hissing, spitting and growling in the trap. Not showing any sociability toward people.



# How would you handle this cat at your shelter?

## How would you handle this cat at your shelter? - Case #1

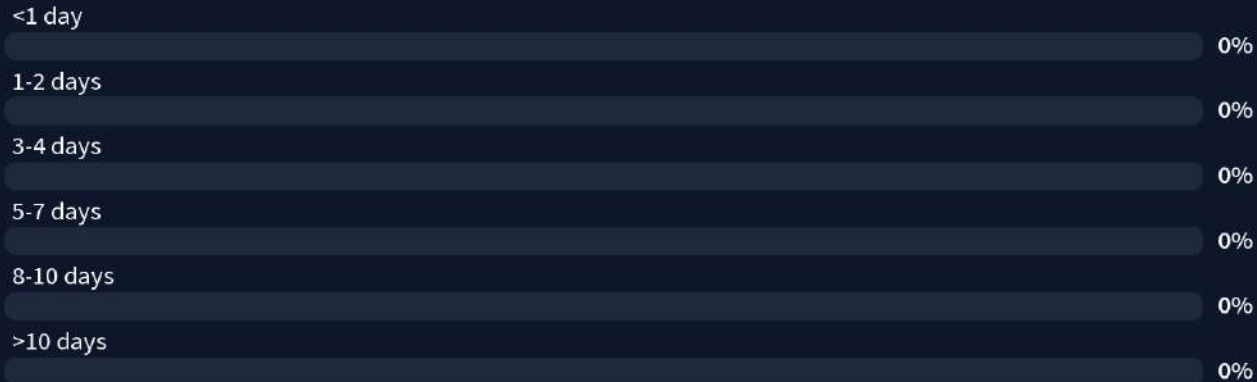


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# If you take him in, how long would you expect this cat to stay at your shelter?

## If you take it in, how long would you expect this cat to stay at your shelter? - Case #1



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# If you take it in, what outcome would you expect this cat to have?

## If you take it in, what outcome would you expect this cat to have? - Case #1

Return to Home/RTF/Return to Origin	0%
Adoption	0%
Barn Cat/Working Cat Program	0%
Foster to Try to Socialize	0%
Transfer to Rescue/Transfer Partner	0%
Euthanasia	0%





# Case Study #1 – Best Practices - IDEALLY

If  
resources  
and  
capacity  
allow

Take in as part  
of "Community  
Cat Program"

If healthy  
proceed with  
CCP medical  
care ASAP

Ideal LOS 1-2  
days

Once recovered  
return to  
origin/outdoor  
home.

BENEFIT TO CAT:  
Gets to return to  
known location.

BENEFIT TO  
COMMUNITY:  
Stabilizes  
population and  
improves  
population  
health.



# Case Study #1 – Best Practices – DO NO HARM

If resources  
and  
capacity  
DON'T  
allow CCP

Divert to a TNR  
program if  
possible

If no available  
TNR program  
“do no harm”  
and return cat  
to origin as is

Finder,  
volunteer, or  
field officer  
returns cat  
immediately  
with no shelter  
stay

BENEFIT TO CAT:  
Gets to return to  
known location.

BENEFIT TO  
COMMUNITY:  
At least doesn't  
leave a vacuum  
effect for new  
cats to come in.



# Case Study #1 – What to Avoid!

- Don't take in as a stray with stray hold.
- Don't delay CCP medical care.
- Don't delay returning to origin after care is provided.
- Avoid anything that leads to long LOS – more stress for cat, more work for shelter team.
- Avoid trying to socialize cats that aren't social with humans who can return to their origin
- Don't take in if you don't have the resources for expedited care and return.
- Don't take cat in if expected outcome is euthanasia.
- Better to leave the cat where it was found (or immediately return it there) with no CCP care than to create poor welfare or death.



Let's get some  
legal advice  
about the case  
of Freddie the  
Firmly Feral  
Tomcat



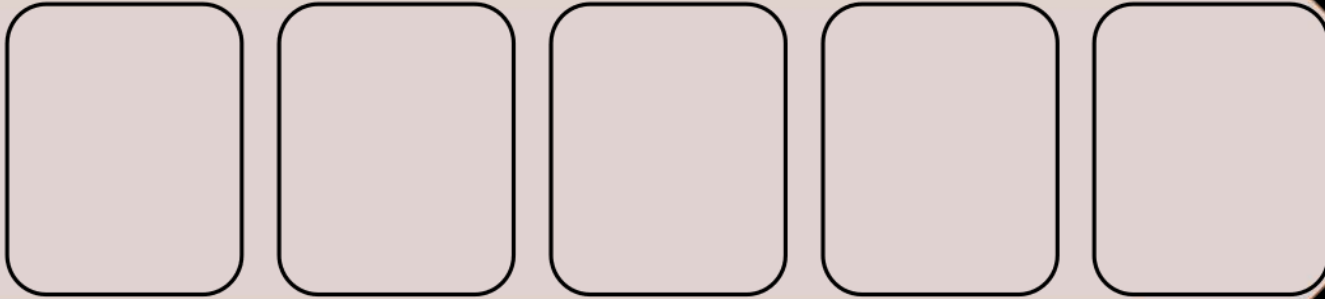
# Legal Tips - Cats and Shelters – Community Cats

From a legal perspective, how would the shelter ideally interact with Freddie the Firmly Feral Tomcat?



# Case Study #1 – Legal Recommendations

Take in  
specifically as  
“Intake Type”  
– “Community  
Cat Program”  
or similar.





# Legal Tips - Community Cat Programs (CCPs)

**What is the  
holding  
period in a  
CCP?**



# Legal Tips - Community Cat Programs (CCPs)

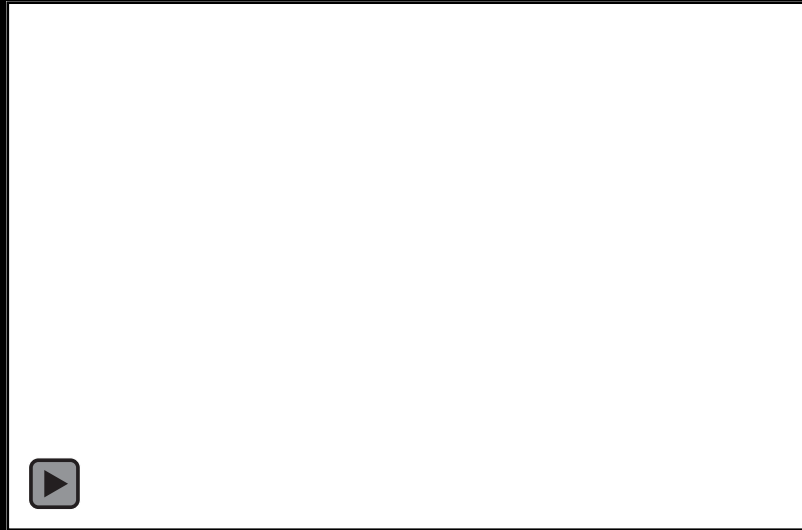
## Holding Period

- There is no legal holding period for a CCP cat.
- Proceed with needed care and return to origin as quickly as possible and appropriate.



# Legal Tips - Community Cat Programs (CCPs)

**How should  
we account  
for CCP cats  
in our shelter  
software  
systems?**



# Legal Tips - Community Cat Programs (CCPs)

## Holding Period

- There is no legal holding period for a CCP cat.
- Proceed with care and return to origin as quickly as possible and appropriate.

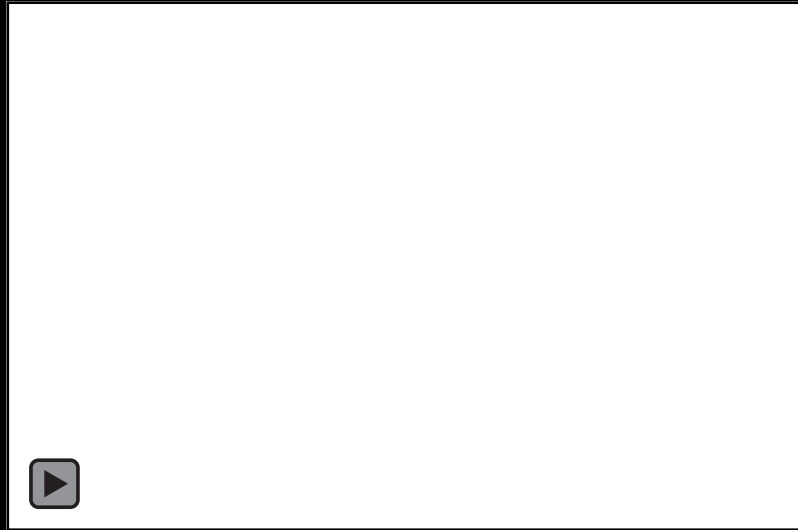
## Shelter Software

- Take in as separate “Community Cat Program” intake.
- If possible, in separate database or location in your software.
- Outcome as separate CCP Release.
- These intakes and outcomes are separate from normal shelter impounds.



# Legal Tips - Community Cat Programs (CCPs)

**Where  
would we  
ideally house  
CCP cats  
while in the  
shelter's  
care?**



# Legal Tips - Community Cat Programs (CCPs)

## Holding Period

- There is no legal holding period for a CCP cat.
- Proceed with care and return to origin as quickly as possible and appropriate.

## Shelter Software

- Take in as separate “Community Cat Program” intake.
- If possible, in separate database or location in your software.
- Outcome as separate CCP Release.
- These intakes and outcomes are separate from normal shelter impounds.

## Housing

- Ideally in a separate area/room or portion of a space from other shelter impound animals.
- If ID placed on animal while in shelter should specify CCP cat.
- Cage signage, etc. should specify CCP area.
- Not available for adoption.



# Case Study #1 – Legal Recommendations

Take in specifically as “Intake Type” – “Community Cat Program” or similar.

Proceed with CCP medical care as quickly as possible.

Return to origin (as close as possible) as soon as appropriate.

Outcome as specific CCP “Outcome Type” – “CCP Return to Origin” or similar.

Do not include CCP cats in your shelter “at risk” animal statistics reporting.

House separately from normal shelter impounds to the extent possible.

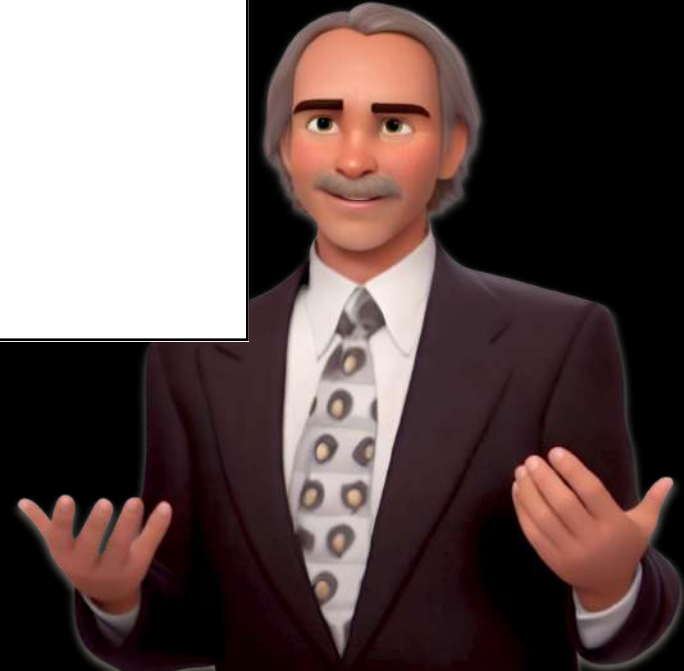
If ID collar placed, cage signage, room signage, should all indicate CCP cat.





# Best Practices - Cats and Shelters – Community Cats

**Why is it important that shelters follow these recommendations and ideally follow the same practices with CCPs?**



# Case Study #1 – Legal Recommendations

**We are stronger together.** If all California (and other US) shelters follow these same guidelines, our programs are more legally defensible.



Let's dive  
into  
another  
case  
study!



C





# Case Study #2



## Francesca the Fearful Neighborhood Cat

### History:

Trapped by a Good Sam who knows several families in the neighborhood feed her but worries she will have kittens.

### Appearance:

In good condition, not underweight (maybe a little overweight - BCS = 6/9), appears healthy.

### Behavior:

Displaying behaviors including hiding in the corner, not making eye contact or acknowledging people handling her.



# How would you handle this cat at your shelter?

## How would you handle this cat at your shelter? - Case #2

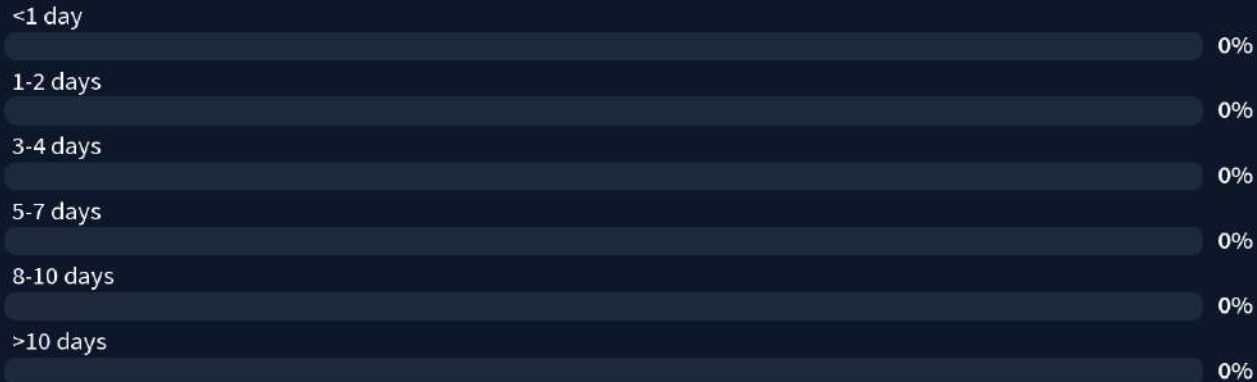


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# If you take her in, how long would you expect this cat to stay at your shelter?

## If you take it in, how long would you expect this cat to stay at your shelter? - Case #2



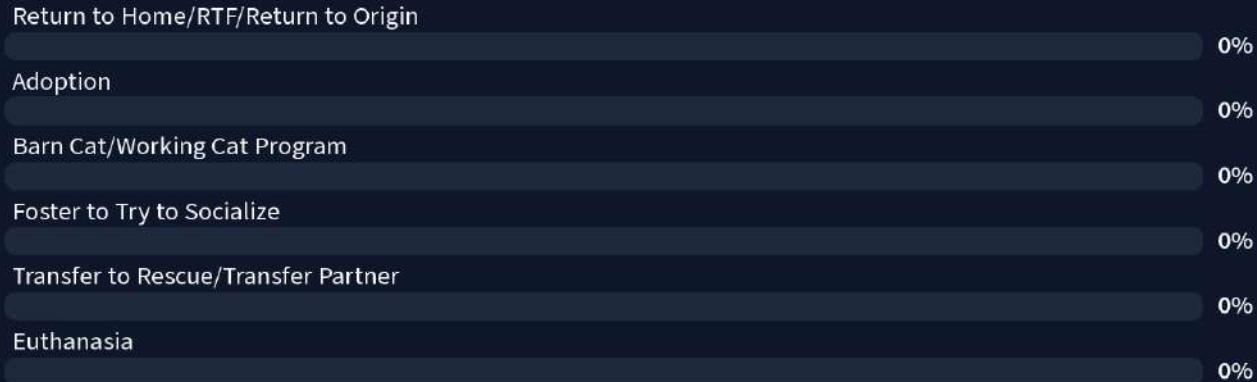
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# If you take her in, what outcome would you expect this cat to have?

## If you take it in, what outcome would you expect this cat to have? - Case #2



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# Case Study #2 – Best Practices - IDEALLY

If  
resources  
and  
capacity  
allow

Take in as part  
of "Community  
Cat Program"

If healthy  
proceed with  
care ASAP

Ideal LOS 1-2  
days

Once recovered  
return to  
origin/outdoor  
home.

BENEFIT TO CAT:  
Gets to return to  
known location.

BENEFIT TO  
COMMUNITY:  
Stabilizes  
population and  
improves  
population  
health.



# Case Study #2 – Best Practices – DO NO HARM

If resources  
and  
capacity  
DON'T  
allow CCP

Divert to a TNR  
program if  
possible

If no available  
TNR program  
“do no harm”  
and return cat  
to origin as is

Finder,  
volunteer, or  
field officer  
returns cat  
immediately  
with no shelter  
stay

BENEFIT TO CAT:  
Gets to return to  
known location.

BENEFIT TO  
COMMUNITY:  
At least doesn't  
leave a vacuum  
effect for new  
cats to come in.



# Case Study #2 – What to Avoid!

- Don't take in as a stray with stray hold.
- Don't delay CCP medical care.
- Don't delay returning to origin after care is provided.
- Avoid anything that leads to long LOS – more stress for cat, more work for shelter team.
- Avoid trying to socialize cats that aren't social with humans who can return to their origin
- Don't take in if you don't have the resources for expedited care and return.
- Don't take cat in if expected outcome is euthanasia.
- Better to leave the cat where it was found (or immediately return it there) with no CCP care than to create poor welfare or death.

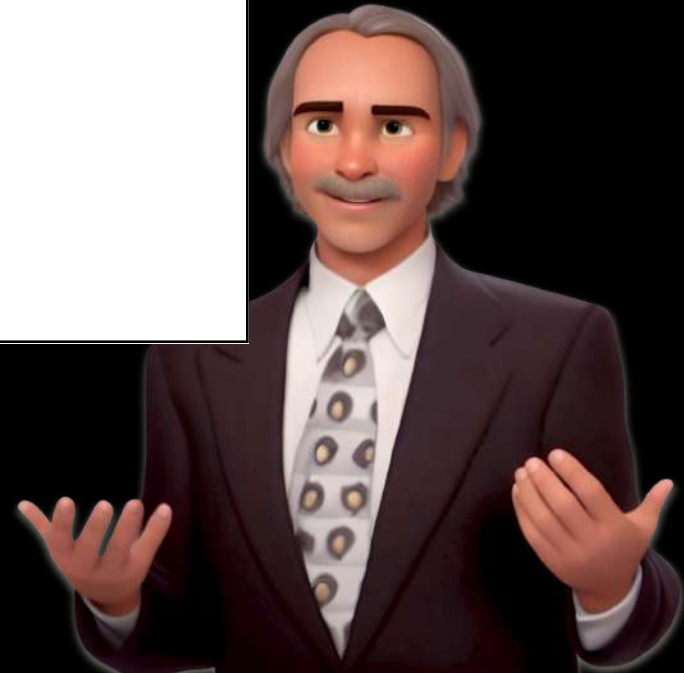


# Any additional legal advice about the case of Francesca the Fearful Neighborhood Cat?



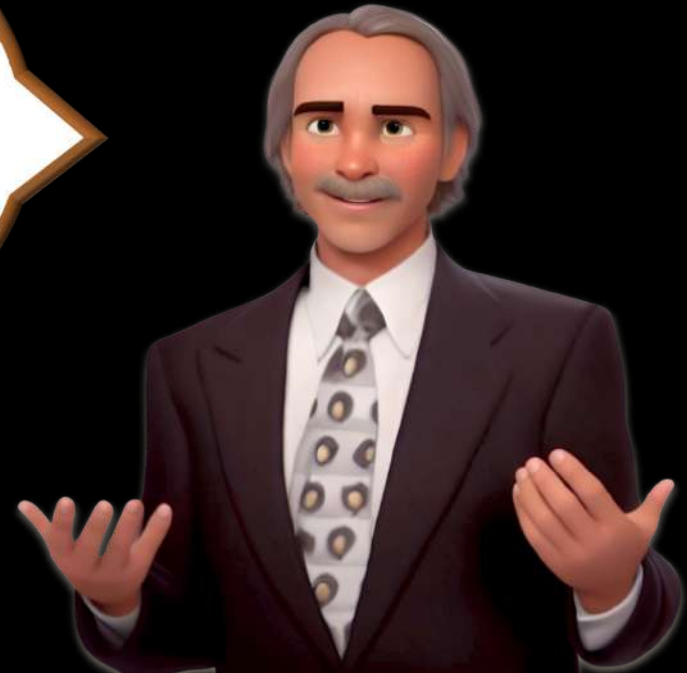
# Best Practices - Cats and Shelters – Community Cats

From a legal perspective, is there any difference between Francesca's case and Frankie's?



# Case Study #2 – Legal Recommendations

There is no substantive difference in dealing with a “Feral” cat like Freddie, or a “Fearful” cat like Francesca. The same CCP guidelines apply.





# Case Study #2 – Legal Recommendations

Take in specifically as “Intake Type” – “Community Cat Program” or similar.

Proceed with CCP medical care as quickly as possible.

Return to origin (as close as possible) as soon as appropriate.

Outcome as specific CCP “Outcome Type” – “CCP Return to Origin” or similar.

Do not include CCP cats in your shelter “at risk” animal statistics reporting.

House separately from normal shelter impounds to the extent possible.

If ID collar placed, cage signage, room signage, should all indicate CCP cat.



**Let's dive  
into our  
next case  
study!**

C







# Case Study #3



## Melody the Momma Cat with 2 Kittens

### History:

Found under an old barn by someone hiking. No other info.

### Appearance:

Slightly underweight (BCS = 4/9), otherwise appears healthy, kittens are 4 weeks old, unweaned, appear healthy.

### Behavior:

Mom appears to be social, slow blinking, approaching front of the cage and purring. Kittens are a little hissy spitty but start to purr when held.



# How would you handle this group at your shelter?

How would you handle this group at your shelter?

Intake all 3 as strays with stray hold

0%

Intake mom as "Community Cat Program" and kittens as stray

0%

Ask finder to foster, intake as stray and foster out to finder

0%

Divert to a TNR partner

0%

Not intake - tell finder to return to origin as is

0%



<https://tinyurl.com/Learniverse>



# If you take them in, what outcome would you expect these 3 to have?

## If you take them in, what outcome would you expect these 3 to have? - Case #3

- All 3 return to origin when kittens are old enough for spay/neuter and mom is at a healthy weight 0%
- All 3 to foster and then up for adoption when kittens are old enough 0%
- All 3 stay in the shelter until kittens are older, then up for adoption 0%
- All 3 stay in the shelter until mom's weight improves and kittens are weaned, then return mom cat to origin and kittens up for adoption 0%
- Transfer to rescue/transfer partner 0%
- Euthanasia due to lack of shelter and foster resources 0%



<https://tinyurl.com/Learniverse>





# Case Study #3 – Best Practices - IDEALLY

If  
resources  
and  
capacity  
allow

Take in as strays

Send to foster  
ASAP (asking  
finder to foster  
first)

Return for  
adoption  
preparation  
once kittens are  
old enough for  
spay/neuter.

Ideally right  
when kittens are  
1.5 lbs or more  
and robustly  
healthy.

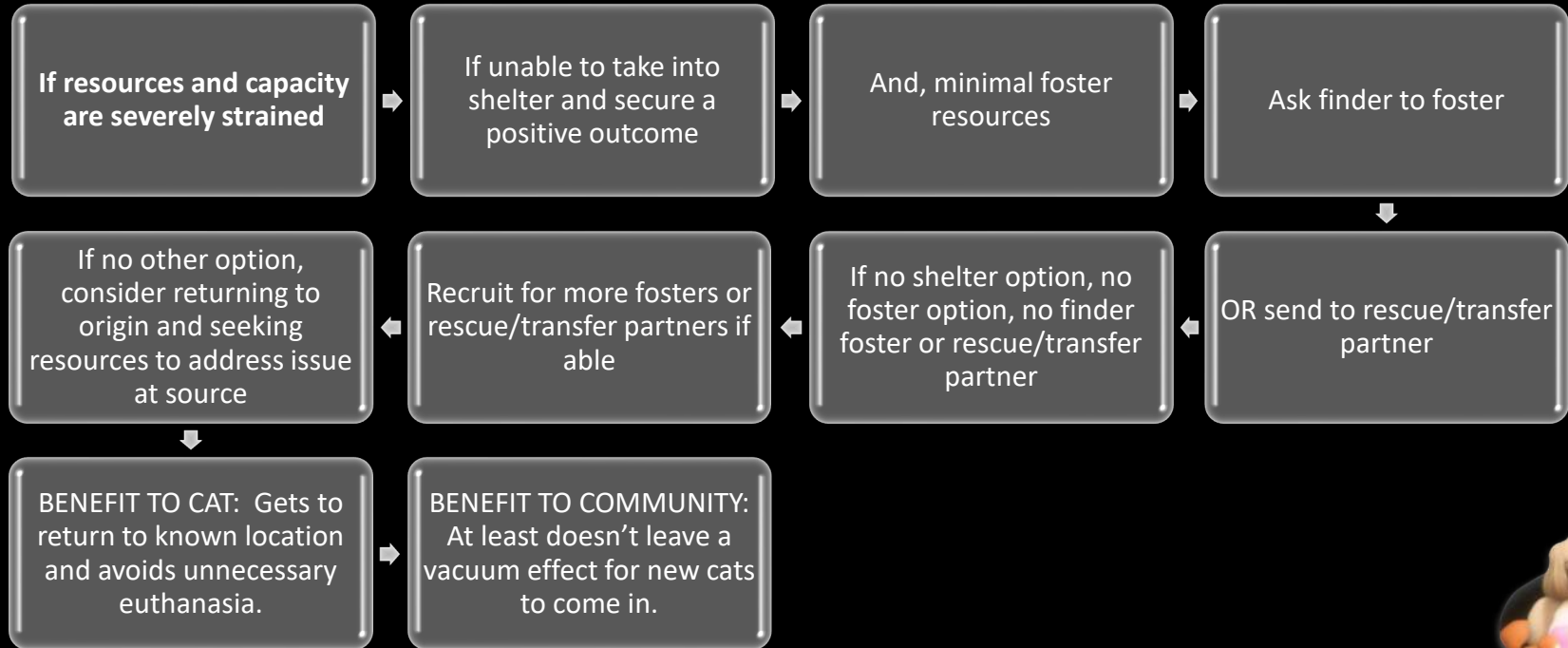
**BENEFIT TO  
GROUP:** Get to  
go to a home  
once old enough  
and healthy  
enough.

**BENEFIT TO  
COMMUNITY:**  
Places healthy,  
social  
cat/kittens in  
homes.





# Case Study #3 – Best Practices – DO NO HARM



# Case Study #3 – What to Avoid!

- Not eligible for CCP due to mom underweight and kittens unweaned
- Avoid taking group in and holding in shelter until kittens get older
- Remember to ask finder to foster with shelter's support
- Avoid sticking in foster for any longer than necessary
- Avoid taking in at all if no resources to provide appropriate care
- Avoid taking in if known or likely outcome is euthanasia – at least “do no harm”

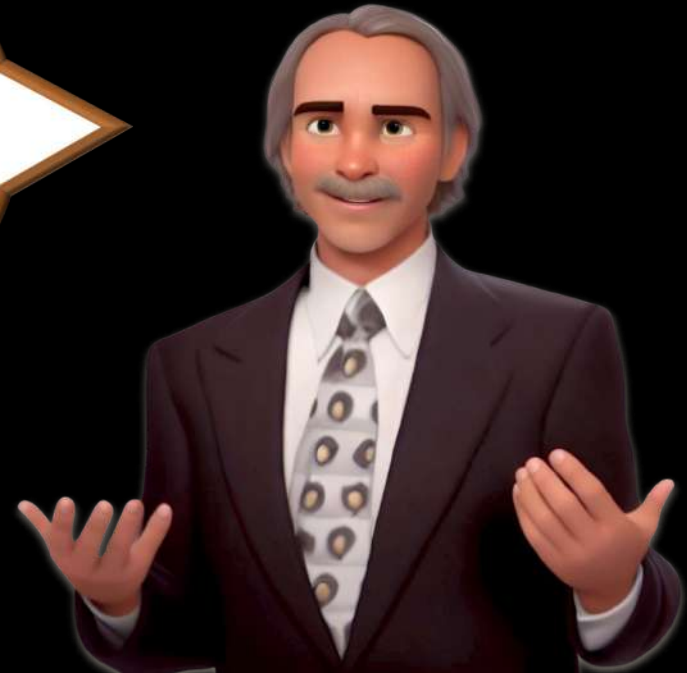


# Any additional legal advice about the case of Melody the Momma Cat with 2 Kittens?



# Case Study #3 – Legal Recommendations

Melody being underweight and kittens being unweaned exclude them from being immediate CCP candidates. Other shelter options should be pursued as described.



**Let's dive  
into our  
next case  
study!**

C







# Case Study #4



## Penelope the Purring 8-Week-Old Kitten

### History:

Found in a local park by herself. Finder has never seen kitten before.

### Appearance:

Good weight – 1.75 lbs (BCS = 5/9) and appears healthy.

### Behavior:

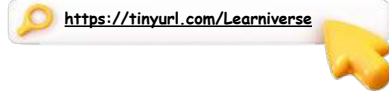
Very sweet and social, purring and kneading when held.





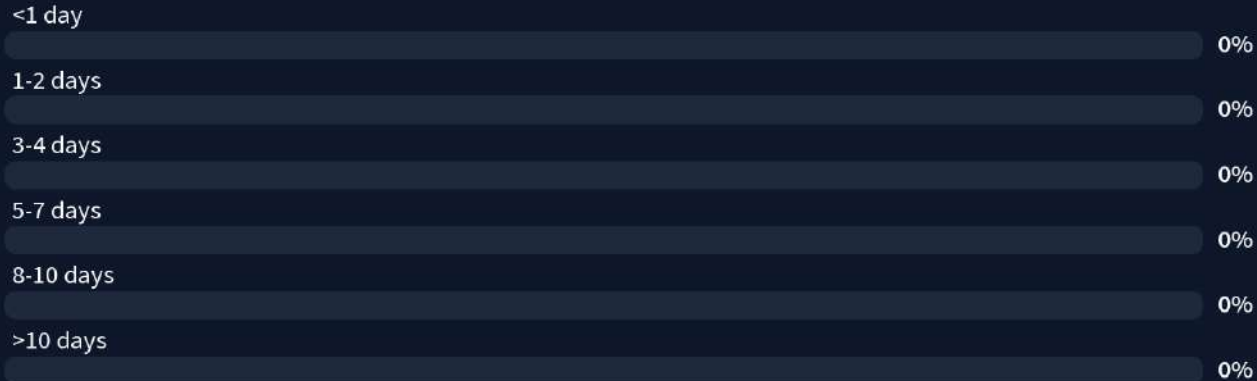
# How would you handle this kitten at your shelter?

## How would you handle this kitten at your shelter? - Case #4



If you take her in, how long would you expect this kitten to stay at your shelter?

If you take it in, how long would you expect this kitten to stay at your shelter? - Case #4

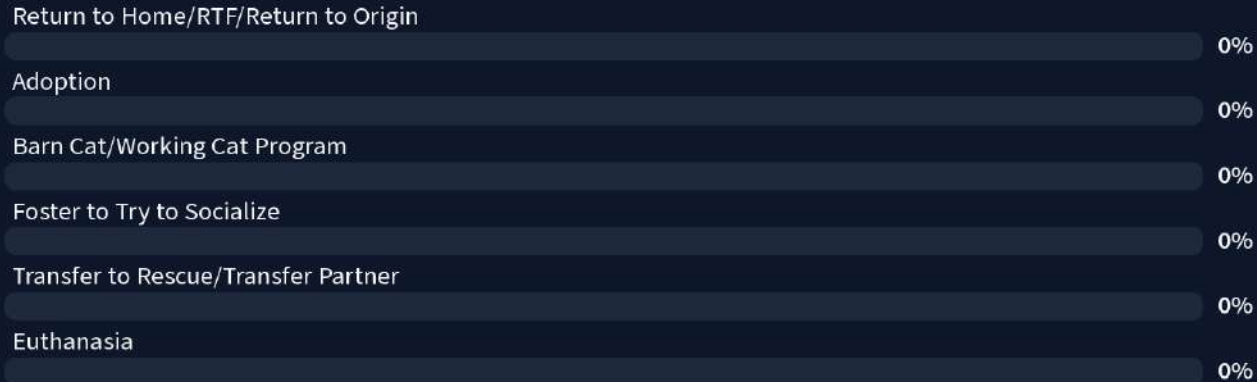




<https://tinyurl.com/Learniverse>



# If you take her in, what outcome would you expect this kitten to have?

## If you take it in, what outcome would you expect this kitten to have? - Case #4



 <https://tinyurl.com/Learniverse> 



# Case Study #4 – Best Practices - IDEALLY

If  
resources  
and  
capacity  
allow

Take in as stray

Begin adoption  
preparation  
immediately if at  
least 1.5 lbs and  
robustly healthy.

Offer for “Foster  
to Adopt” during  
stray hold or get  
info from  
interested  
adopter

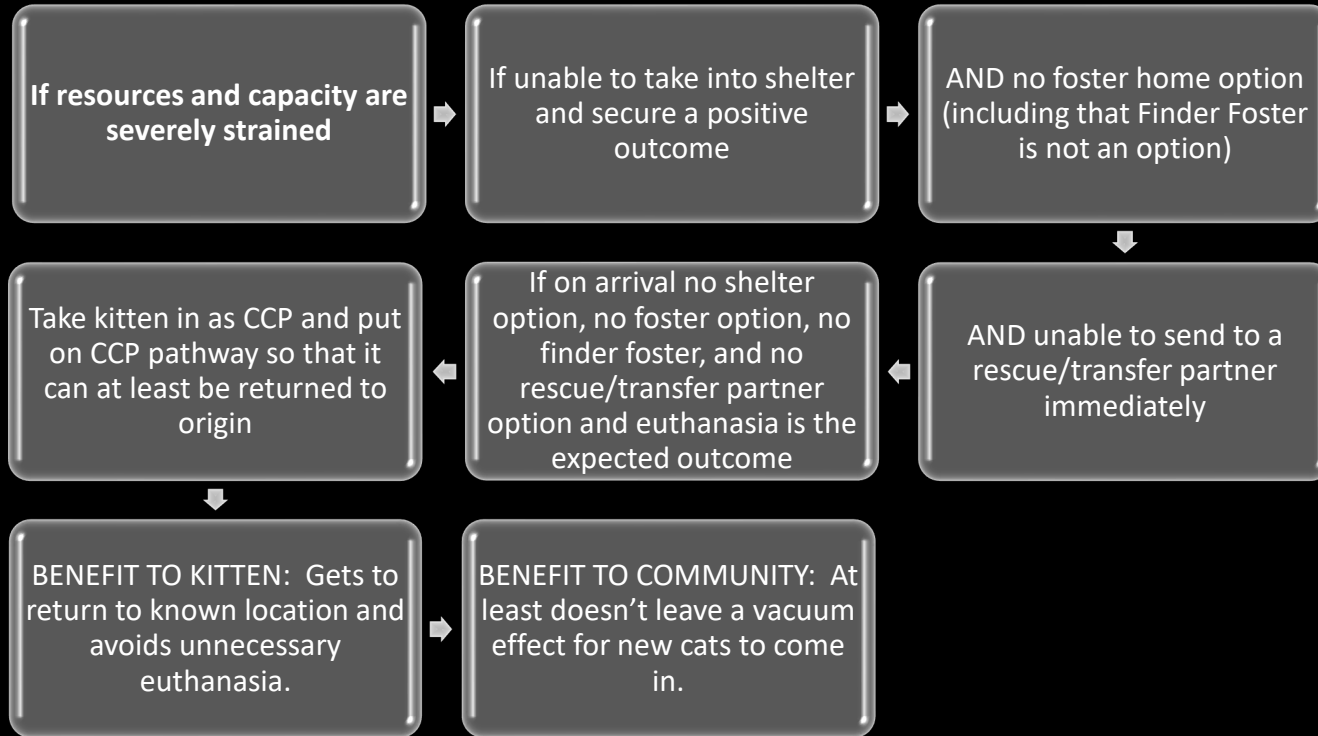
Adopt  
out/transfer  
ownership as  
soon as  
minimum legal  
hold period ends

BENEFIT TO  
KITTEN: Gets to  
go to a home  
quick with  
minimal shelter  
stay

BENEFIT TO  
COMMUNITY:  
Places healthy,  
social kitten in  
home quickly



# Case Study #4 – Best Practices – DO NO HARM



# Case Study #4 – What to Avoid!

- Remember to ask finder to foster with shelter’s support if resources for in-shelter care aren’t available
- Avoid sticking in foster for any longer than necessary as kitten is adoption age already
- Avoid taking in at all if no resources to provide appropriate care
- If alternative is negative outcome (euthanasia) consider CCP intake on arrival.
- Avoid taking in at all if known or likely outcome is euthanasia – at least “do no harm”
- Each shelter needs to know what resources they have for various types of intakes and know what pathway different types of cats/kittens need to be started on from arrival. CCP pathway needs to start at intake.
- In the case of kittens each shelter should decide what their minimum age is for their CCP program and any other factors that they will follow for CCP eligibility.



# Any additional legal advice about the case of Penelope the Purring 8- Week-Old Kitten?





# Case Study #4 – Legal Recommendations

Given age and social nature ideally kitten would be an adoption candidate.

BUT, as an unowned and healthy kitten she is also eligible for a CCP. There is no legal basis that would exclude her if the alternative was unnecessary euthanasia.

The shelter will need to know at the time of the kitten's arrival which path she needs to be started on and what intake type she should have.



Let's dive  
into our  
next case  
study!



C





# Case Study #5



## Sammy the Skinny but Sweet Teenager

### History:

Trapped in a downtown parking lot by a knowledgeable caretaker who feeds a group of cats at a local park on the other side of town.

### Appearance:

Underweight (BCS = 3/9) and appears unthrifty – heavy parasitism and poor muscle mass. Estimated to be 5 months old.

### Behavior:

Very sweet and social, purring and kneading when held.



# How would you handle this teenager at your shelter?

## How would you handle this teenager at your shelter? - Case #5

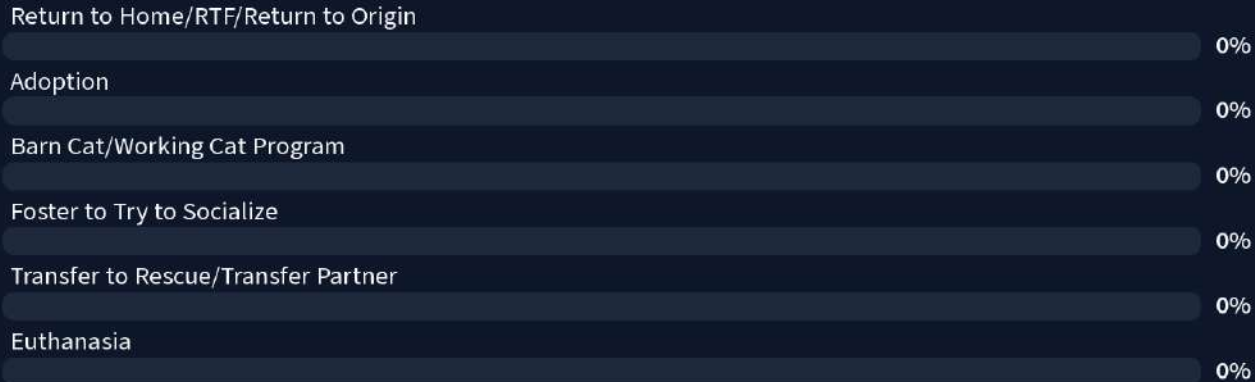


<https://tinyurl.com/Learniverse>



# If you take him in, what outcome would you expect this teenager to have?

## If you take it in, what outcome would you expect this teenager to have? - Case #5



<https://tinyurl.com/Learniverse>





# Case Study #5 – Best Practices - IDEALLY

Mandated intake due to unhealthy status

Take in as stray

Send to foster immediately if able (ask finder to foster if seems safe)

Have teenager return to shelter as soon as weight and overall health allow

Prepare for adoption

**BENEFIT TO TEENAGER:**  
Gets to go to a home quick with minimal shelter stay

**BENEFIT TO COMMUNITY:**  
Places social teenager in home as soon as health is improved





# Case Study #5 – Best Practices – DO NO HARM

Mandated intake due to unhealthy status

Take in as stray

If unable to send to foster and finder unable to foster try rescue / transfer partner

If no foster or partner option house at shelter for needed medical care

Prepare for adoption as soon as weight/health improve (or consider "Foster to Adopt")

**BENEFIT TO TEENAGER:**  
Gets to go to a home quick with minimal shelter stay

**BENEFIT TO COMMUNITY:**  
Places social teenager in home as soon as health is improved



# Case Study #5 – What to Avoid!

- Remember to ask finder to foster with shelter's support if resources for in-shelter care aren't available
- Avoid sticking in foster for any longer than necessary as is adoption age already
- Provide needed care as efficiently as possible and monitor for improvement to avoid unnecessary prolonged stay
- If alternative is negative outcome (euthanasia) consider barn cat program once weight/health improve



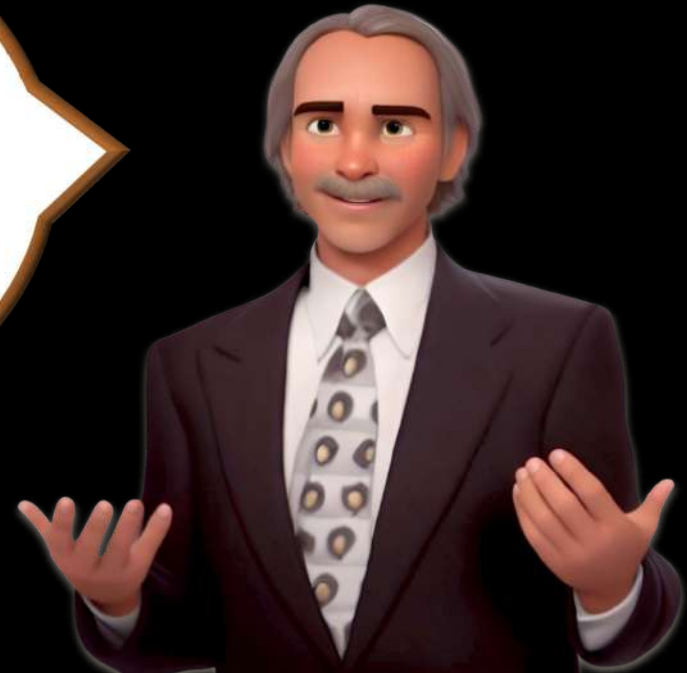
Any additional  
legal advice  
about the case  
of Sammy the  
Skinny but  
Sweet  
Teenager?



# Case Study #5 – Legal Recommendations

Sammy is not a CCP candidate due to being underweight and unthrifty – not considered “healthy.”

As a “sick” cat he is a mandated impound for a public shelter. If medically treatable and resources allow, he should be provided care as a stray and offered for adoption or another appropriate outcome.



**Let's dive  
into our  
next case  
study!**



C







# Case Study #6



## Cleo the Collar Wearing Microchipped Cat

### History:

Found on the front patio of a Good Sam, meowing. Finder is new to the neighborhood and doesn't know neighbors.

### Appearance:

Healthy weight (BCS = 5/9), appears healthy. Wearing a collar but no tag, microchip found when scanned.

### Behavior:

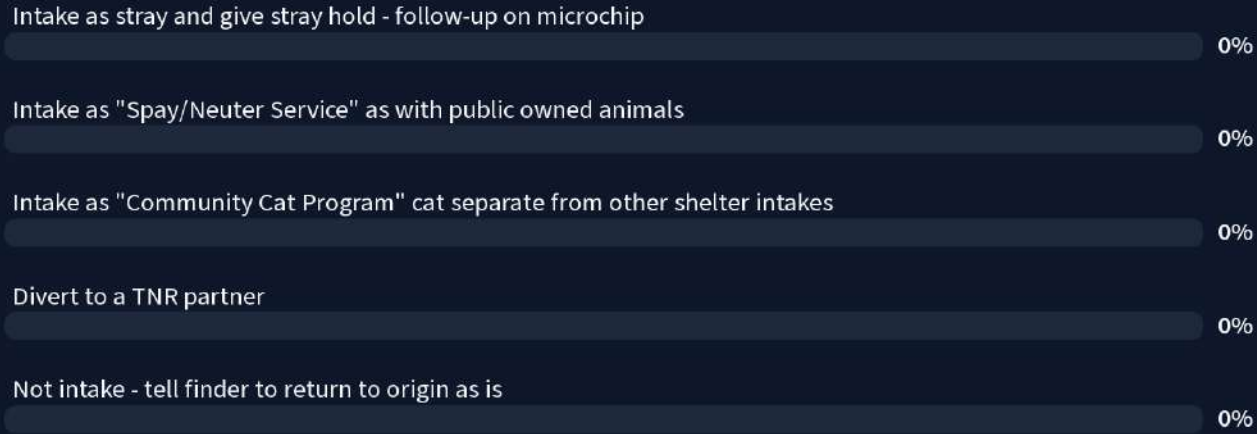
Seems social but a little aloof, no aggression seen.





# How would you handle this cat at your shelter?

## How would you handle this cat at your shelter? - Case #6

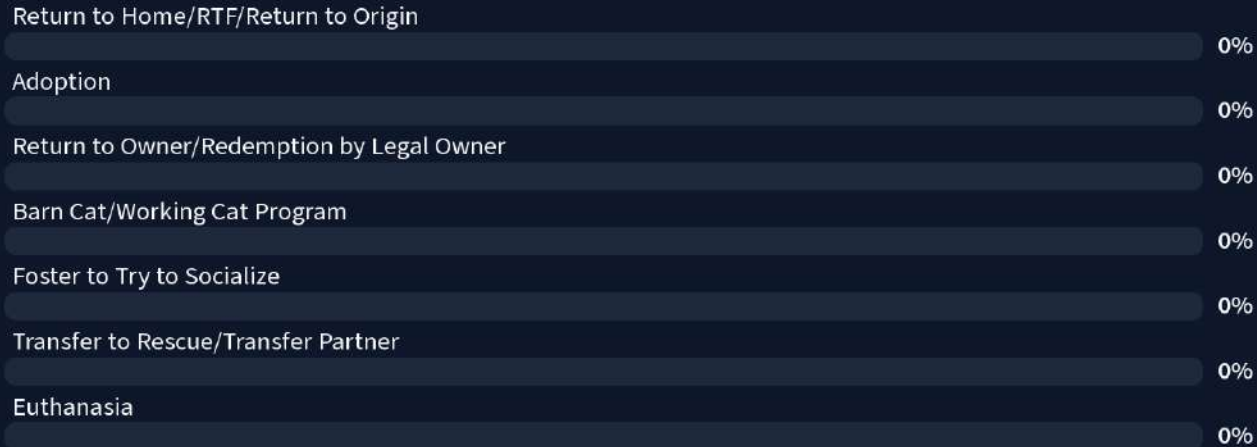


<https://tinyurl.com/Learniverse>



# If you take her in, what outcome would you expect this cat to have?

## If you take it in, what outcome would you expect this cat to have? - Case #6



<https://tinyurl.com/Learniverse>



# Case Study #6 – Best Practices

Not eligible for CCP due to signs of ownership (collar, microchip)

Take in as stray

Hold for stray hold while following up on ID

Ideally will be redeemed by owner

If not redeemed ideally would be offered for adoption, barn home placement, or other appropriate outcome

BENEFIT TO CAT: Hopefully gets to go back to original home (or to a new home if not redeemed)

BENEFIT TO COMMUNITY: Respects indications of ownership avoids risk of “abandonment” concerns



# Case Study #6 – What to Avoid!

- Remember to ask finder to foster with shelter's support if resources for in-shelter care aren't available
- Remember to follow-up on ID robustly to try to secure redemption (unless a cruelty concern, an existing home is almost always preferred to needing to find a new home)
- Ideally have staff or volunteers print flyers and/or door hangers in neighborhood where cat was found.
- If owner is identified but has challenges to redeeming – offer support or help with private rehoming of cat
- If not redeemed during the stray holding period pursue other positive outcomes as for any other impounded cat.



**Any additional  
legal advice  
about the case of  
Cleo the Collar  
Wearing  
Microchipped  
Cat?**



# Case Study #6 – Legal Recommendations

On arrival at the shelter Cleo is not a CCP candidate due to indications of ownership in the form of a collar and microchip.

If not redeemed during her stray hold, other outcomes will need to be pursued for Cleo. To avoid any concerns about abandonment Cleo should be rehomed.





Let's dive  
into our  
last CCP  
case  
study!







# Case Study #7



## Opal the Owned Cat

### History:

Opal has been cared for by the person who presents her to the shelter since she was a kitten. They have been unable to afford spay/neuter for her and heard the shelter does free spay/neuter for cats.

### Appearance:

Healthy weight – plus some - (BCS = 7/9), appears healthy. Not wearing a collar, no microchip found when scanned.

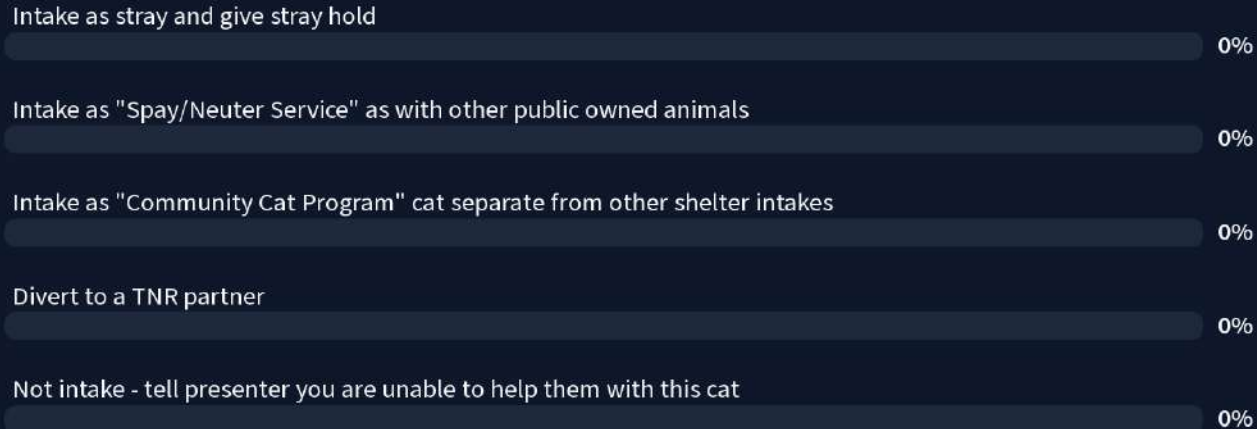
### Behavior:

Seems social and very friendly with person bringing her in, a little shy with shelter staff.



# How would you handle this cat at your shelter?

## How would you handle this cat at your shelter? - Case #7



<https://tinyurl.com/Learniverse>



# Case Study #7 – Best Practices - IDEALLY

Not eligible for CCP as cat is owned

If possible, take in as “Spay/Neuter Service” for owned animal

Or, send home with owner and schedule for spay when shelter resources allow

Or, refer to another organization or clinic that can offer this service within owner’s budget

Or, provide voucher for service if owner unable to afford

**BENEFIT TO CAT:** Cat is provided with needed medical care and able to stay in current home

**BENEFIT TO COMMUNITY:** Keeps cat in its current home and prevents taking up a new home

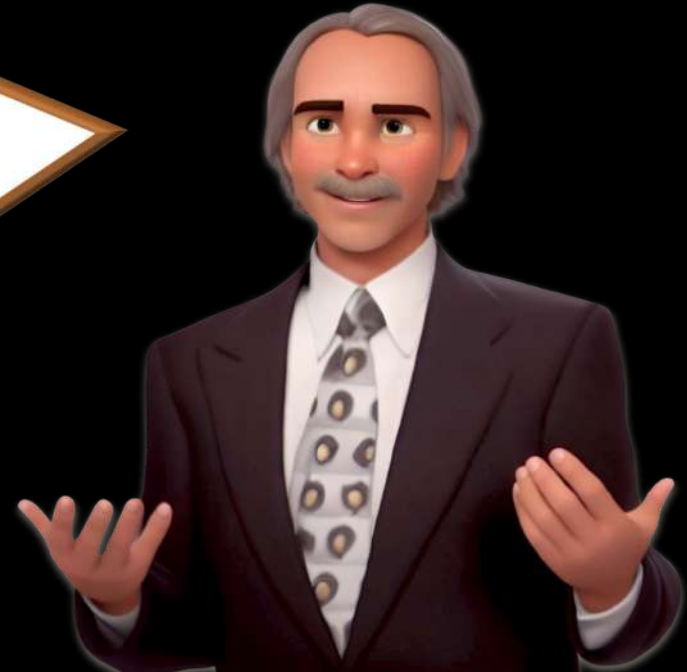


**Any additional  
legal advice  
about the case of  
Opal the Owned  
Cat?**



# Case Study #7 – Legal Recommendations

Based on her stated history, Opal is considered an owned cat. She is not eligible for a CCP program. The shelter is not legally mandated to provide any services to her. As stated, the best practice would be to try to assist the owner with Opal receiving needed spay surgery and other needed care if resources allow.



# Legal Tips - Community Cat Programs (CCPs)

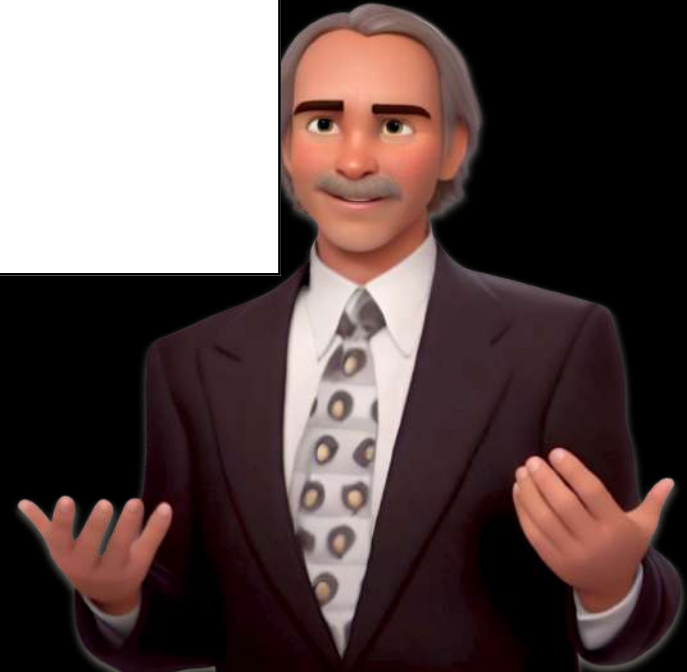
Let's cover some  
additional  
frequently asked  
questions about  
CCPs.





# FAQs (Frequently Asked Questions) About CCPs

**What is the  
difference between  
a “Community Cat,”  
a “Stray Cat,”  
and an “Owned Cat?”**



# Legal Tips - Community Cat Programs (CCPs)

## Community Cats

- Are different.
- No specific known owner
- No transfer of ownership at any time
- Not in need of specific medical care for a serious issue
- Community Cat Programs are long-term solutions to humanely manage populations

## Stray Cats

- In some situations (see below), may need shelter intervention
- Typical impoundment, assessment, care and appropriate outcome
  - Sick
  - Injured
  - Orphaned Unweaned

## Owned Cats

- “Lost” – cat with signs of ownership with owner looking for cat.
- “Surrendered” – have an owner who no longer wants cat and wants shelter assistance to rehome.
- “Euthanasia Request” – legal owner is requesting medical service of euthanasia.



# FAQs (Frequently Asked Questions) About CCPs

**Who can run  
a Community  
Cat  
Program?**



# Legal Tips - Community Cat Programs (CCPs)

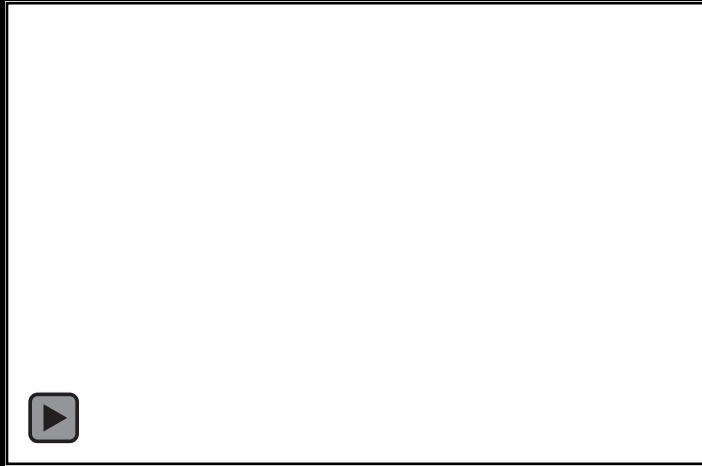
## Who Can Run

- Any organization able to provide the needed medical care:
  - Municipal or private shelters
  - Rescue groups, other groups or individuals working with a shelter or private DVM
  - Private veterinary clinics or teaching hospitals



# FAQs (Frequently Asked Questions) About CCPs

**Who can  
bring a cat in  
for CCP  
services?**



# Legal Tips - Community Cat Programs (CCPs)

## Who Can Run

- Any organization able to provide the needed medical care:
  - Municipal or private shelters
  - Rescue groups, other groups or individuals working with a shelter or private DVM
  - Private veterinary clinics or teaching hospitals

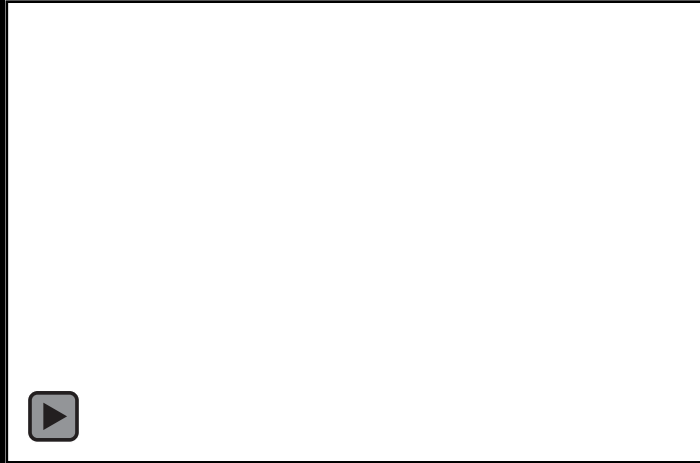
## Who Can Bring In

- Anyone can legally bring in CC for potential entry into CCP
  - Private finders
  - Shelter workers
  - Animal control
  - Law enforcement
  - Rescue groups
  - Community Cat caretakers



# FAQs (Frequently Asked Questions) About CCPs

**What is the ownership status of cats involved in a CCP?**





# Legal Tips - Community Cat Programs (CCPs)

## Who Can Run

- Any organization able to provide the needed medical care:
  - Municipal or private shelters
  - Rescue groups, other groups or individuals working with a shelter or private DVM
  - Private veterinary clinics or teaching hospitals

## Who Can Bring In

- Anyone can legally bring in CC for potential entry into CCP
  - Private finders
  - Shelter workers
  - Animal control
  - Law enforcement
  - Rescue groups
  - Community Cat caretakers

## Ownership Status

- No ownership by anyone at any point
- No shelter ownership
- No finder claim/ownership
- No known public owner (can have feeders, caretakers, but not considered legal owner)
- Humane service of shelter - not impound, not owned animal service



# FAQs (Frequently Asked Questions) About CCPs

**What happens  
if a cat comes in  
as a CCP cat  
and then ID or  
a medical issue  
are found?**



# Legal Tips - Community Cat Programs (CCPs)

## Eligibility for CCP

- If ID or medical concern is found need to take in as “Stray” or change intake to “Stray” at that time.
- If not eligible for CCP due to ID or medical concern follow normal practices and protocols for a stray intake.



# FAQs (Frequently Asked Questions) About CCPs

**Are there  
guidelines for  
returning cats  
to their origin?**



# Legal Tips - Community Cat Programs (CCPs)

## Eligibility for CCP

- If ID or medical concern is found need to take in as “Stray” or change intake to “Stray” at that time.
- If not eligible for CCP due to ID or medical concern follow normal practices and protocols for a stray intake.

## Returning to Origin

- Return to same location as found.
- UNLESS there is a concern:
  - Private property with unwilling property owner
  - Prohibited area under local laws
  - Area with identified endangered species that may be a target for cats
  - Area with imminent threat to the cat (building being demolished)



# FAQs (Frequently Asked Questions) About CCPs

**What are things  
we should  
avoid with CCP  
cats?**



# Legal Tips - Community Cat Programs (CCPs)

## Eligibility for CCP

- If ID or medical concern is found need to take in as “Stray” or change intake to “Stray” at that time.
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  - Private property with unwilling property owner
  - Prohibited area under local laws
  - Area with identified endangered species that may be a target for cats
  - Area with imminent threat to the cat (building being demolished)

## Things to Avoid

- Avoid listing/describing CC’s as “impounded”
- Don’t microchip or provide ID
- Don’t register or license CCs
- Don’t list on website as “Found”
- Send to foster (if needed change intake to “Stray”)
- Don’t adopt out (even as “Barn Cat”) – if ownership is to be given change to “Stray” intake.
- Don’t use legal holds – proceed with care and return to origin.





# FAQs (Frequently Asked Questions) About CCPs

**How should  
we describe  
the role of  
the CCP?**



# Legal Tips - Community Cat Programs (CCPs)

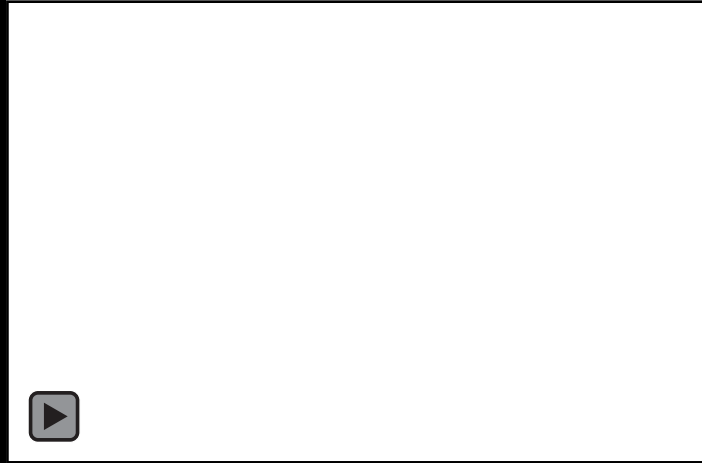
## How to Describe

- Community Cats (CCs) are moving through the CCP as part of the shelter's overall effort to provide humane treatment to animals and to serve the community
- Use positive messaging to describe the program:
  - Helping control outdoor cat populations
  - Providing needed medical care



# FAQs (Frequently Asked Questions) About CCPs

**Do CCPs require  
any special  
staffing or staff  
training?**



# Legal Tips - Community Cat Programs (CCPs)

## How to Describe

- Community Cats (CCs) are moving through the CCP as part of the shelter's overall effort to provide humane treatment to animals and to serve the community
- Use positive messaging to describe the program:
  - Helping control outdoor cat populations
  - Providing needed medical care

## Staffing/Training

- Basic training of all staff on how CCPs work and their benefit
- No specific staff needed to run but consider designating someone to act as the program coordinator.



# FAQs (Frequently Asked Questions) About CCPs

**Has this  
been tested  
in a legal  
case?**



# Legal Tips - Community Cat Programs (CCPs)

## How to Describe

- Community Cats (CCs) are moving through the CCP as part of the shelter's overall effort to provide humane treatment to animals and to serve the community
- Use positive messaging to describe the program:
  - Helping control outdoor cat populations
  - Providing needed medical care

## Staffing/Training

- Basic training of all staff on how CCPs work and their benefit
- No specific staff needed to run but consider designating someone to act as the program coordinator.

## Legally Tested?

- Not successfully challenged in a court of law.
- Shelter PALs believes following these guidelines gives the best chance of defeating any legal challenges.
- BUT these guidelines are not:
  - Protection against litigation from opponents
  - Legal advice (contact us to be a Shelter PALS client)



# FAQs (Frequently Asked Questions) About CCPs

**Are there any  
other legal  
aspects of CCPs  
or concerns we  
should be ready  
to address?**





# Legal Tips - Community Cat Programs (CCPs)

## Separate Program

- CCP is separate and different than stray and owned animal impounds or medical services provided to stray or owned animals.
- As discussed - treat computer entries and housing separately.
- Also recommend separate accounting line items for expenses of program “CCP Expense”

## CCPs Are NOT

- CCPs are not “cruelty to animals”
  - They provide animal welfare and avoid suffering.
- CCPs are not “abandonment” under CPC 597s
  - Only legal owners can “abandon”
  - Humane actions to save cats are not abandonment
- CCPs do not violate intake requirements for shelters
  - There is no legal obligation under California law to intake healthy (owned or unowned) cats



# FAQs (Frequently Asked Questions) About CCPs

**Are there other areas we that may be more complex (knowing you can't go into all the detail today) that we should consider getting legal advice about?**



# Legal Tips - Community Cat Programs (CCPs)

## Other Legal Considerations

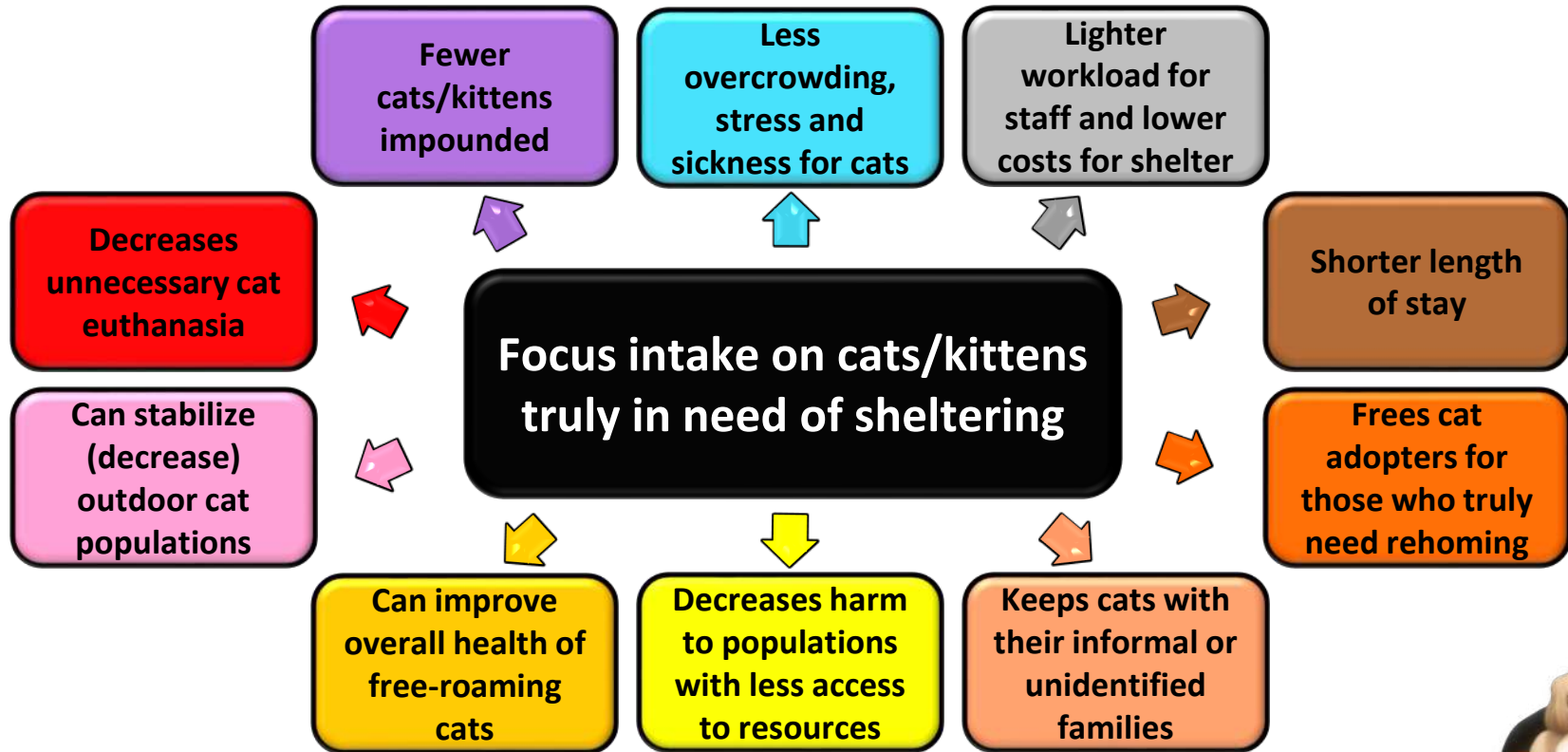
- Community Cat Programs often cover Community Cats in multiple cities and towns, each of which may have its own municipal code with laws relevant to the work of a CCP
- Codes of all affected municipalities should be considered, as well as ACC contracts
- In our research so far, **the most commonly found potentially problematic codes restrict or prohibit:**
  - *Trapping animals (“catching,” “picking up” etc.)*
  - *Releasing animals (“leaving,” “abandoning” etc.)*
  - *Feeding of animals*
- Relevant laws are sometimes generically applicable throughout entire jurisdiction, but more often limited to some areas of public property (park, beach, etc.)
- **Various ways to address these situations, best done with assistance of a lawyer**

## CEQA Considerations

- California Environmental Quality Act (“CEQA”) requires government agencies to consider environmental consequences of public projects
- CEQA does **not** apply to actions of private entities
  - But if a municipality or government agency funds or supports a CCP, CEQA may be implicated
- If CEQA applies, the government agency **may** have to go through a time-consuming administrative process
  - Various exemptions may (likely) apply
- **CEQA is important and CEQA issues should be addressed with counsel for any municipality involved with the shelter when starting CCP**
  - Shelter PALS lawyers can help here



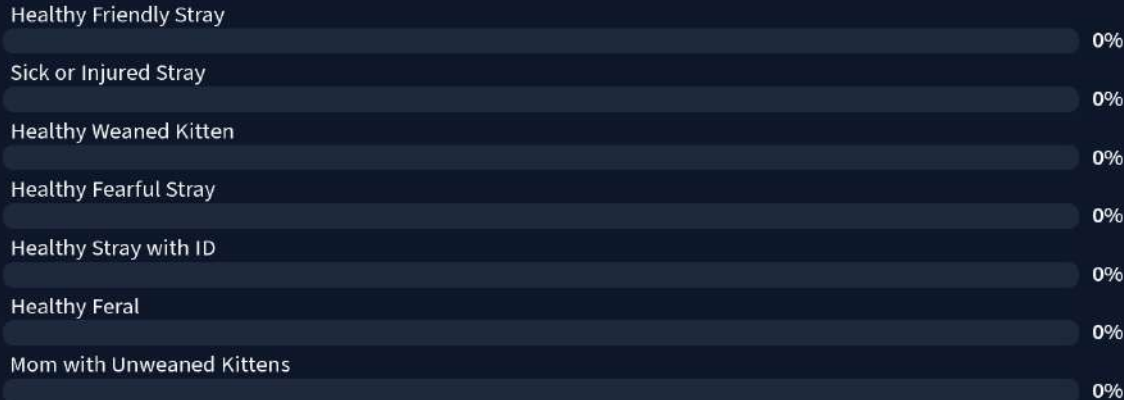
# Benefits of CCPs – Why They are a Best Practice



# Now What Do You Think?



Given what we've shared which of these types of cats do you think your shelter should consider for participation in a CCP program so they can go back to their current outdoor home?



<https://tinyurl.com/Learniverse>



# Finder Foster Programs



# Does your shelter currently have a "Finder Foster" program?

Does your shelter currently have a "Finder Foster" program?

Yes  No



Start the presentation to see live content. For screen share software, share the entire screen. Get help at [pollev.com/app](https://pollev.com/app)



<https://tinyurl.com/Learniverse>





Which of these types of animals would your shelter be most likely to ask a finder to foster? (Rank by dragging the items up or down)

Which of these types of animals would your shelter be most likely to ask a finder to foster?  
(drag to rank in order of most to least likely to ask finder to foster)

Unweaned orphaned kittens

Weaned but underage kittens

Mom with litter of kittens

Healthy adult cat

Sick or injured adult cat

Healthy friendly adult dog - large breed

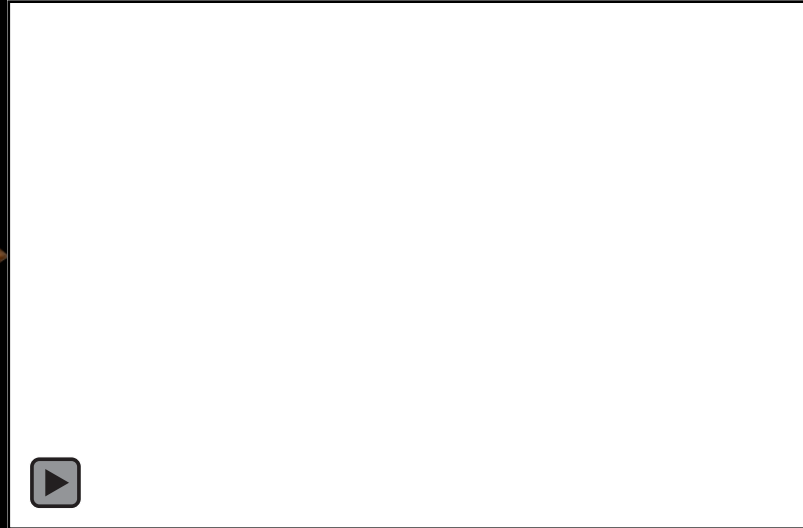
SEE MORE

Start the presentation to see live content. For screen share software, share the entire screen. Get help at [pollev.com/app](https://pollev.com/app)



# Best Practices – Finder Foster Programs

What is a  
“Finder  
Foster”  
program?



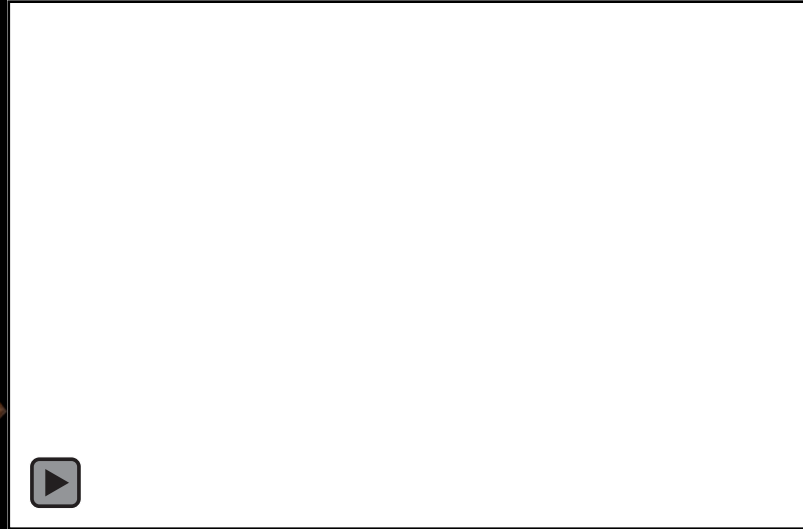
# What is a Finder Foster Program?

**A way to encourage  
community  
involvement in animal  
care.**



# Best Practices – Finder Foster Programs

**Why is a  
robust  
Finder  
Foster  
program a  
“Best  
Practice?”**



# Best Practices – Finder Foster Programs

Encouraging finders of animals to help with the process of reuniting an animal with their original home has many benefits

Fewer animals have to come to the shelter and sit in a cage/kennel waiting for redemption or other outcome

Encourages community involvement in caring for animals in your community and humanizes the animal shelter

Gets more animals back home or to a new home faster

Enhances animal welfare by minimizing time in shelters (which we know are not great environments for animals)

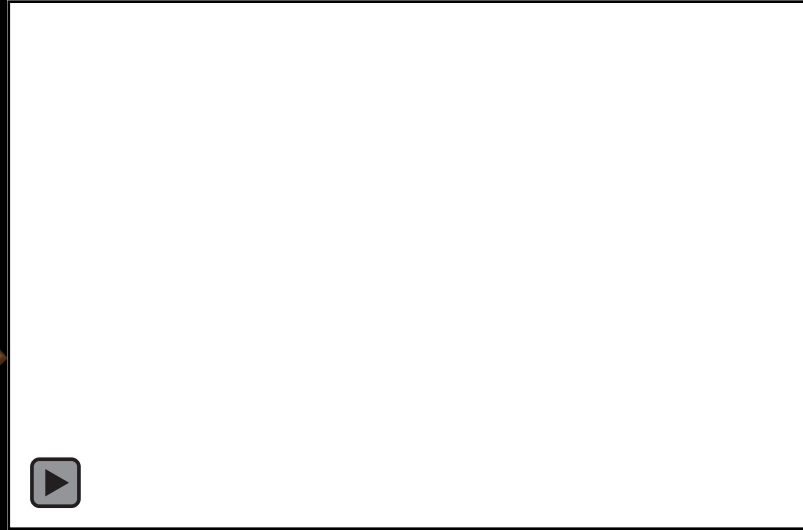
Reduces shelter costs and shelter team workload

Reduces shelter team, volunteer and shelter foster stress, frees time for more/better care for animals who MUST be in the shelter



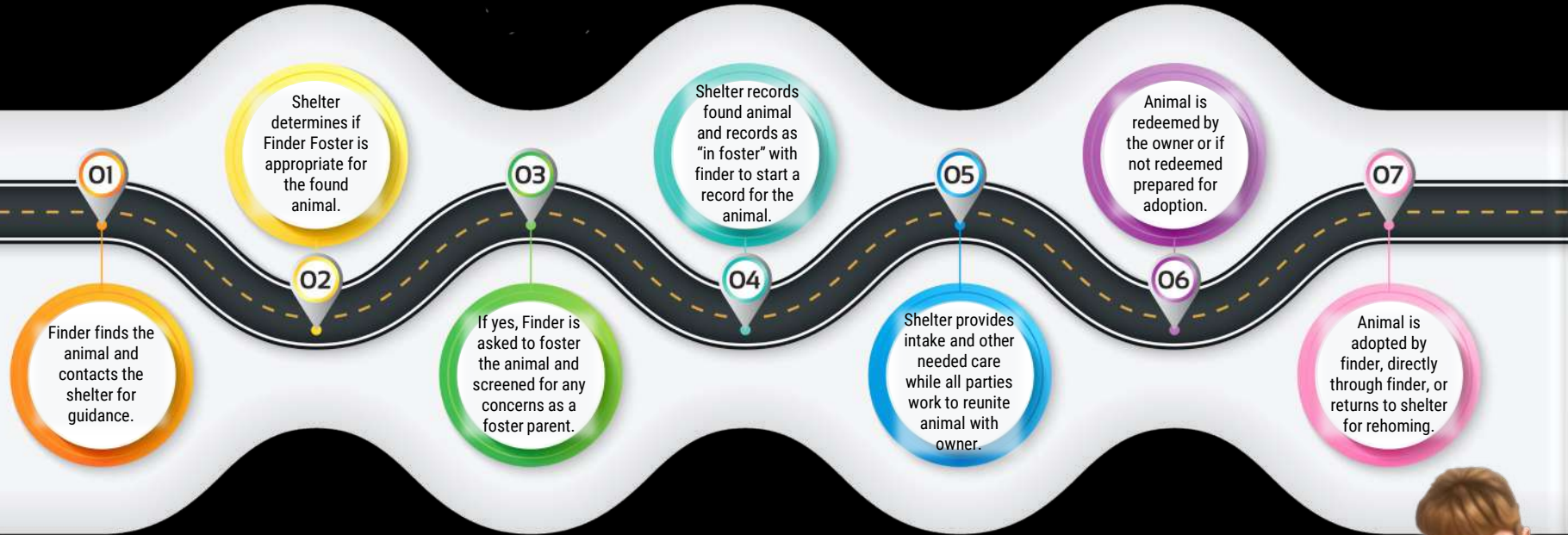
# Best Practices – Finder Foster Programs

**What does  
the Finder  
Foster  
pathway  
look like?**



# Finder Foster Program Pathway – Steps

## More on Finder Foster Programs in Part 2





# Q&A From this Webinar

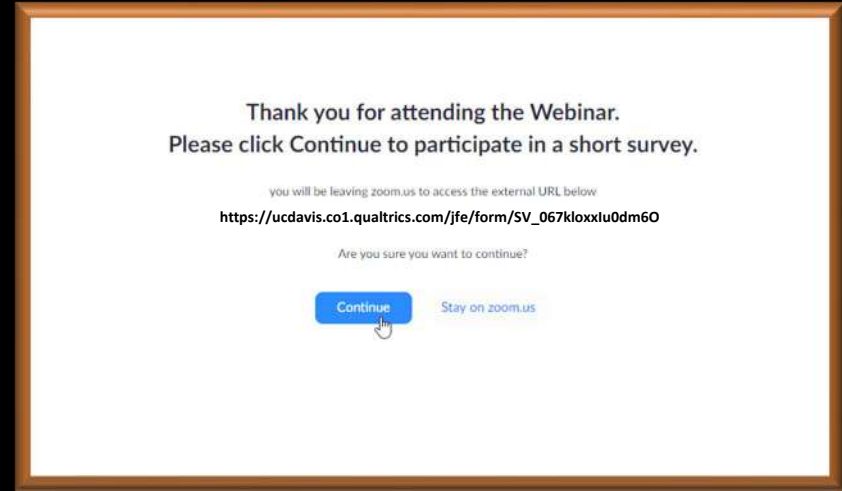
Don't forget, we're gathering questions from the Q&A. Get them in there now if you have any.

We'll gather those up and post responses after the webinar to an event Discussion Thread on Maddie's Pet Forum.

Visit the post-event Q&A here:  
<https://tinyurl.com/LMBP-QandA>  
Or scan this QR code.



# After the Webinar – We'd LOVE your feedback!



**JOIN US NEXT WEEK – 12/13 10 AM Pacific**

## **Legal Meets Best Practices - Part 2**

**Shelter Intakes and Holding Periods  
Medical Care in Shelters (Who Can Do What)**

**Bruce Wagman, Attorney  
Lead Counsel**

San Francisco SPCA  
Shelter PALS Program

**Cindi Delany, DVM  
Director of Online Learning**

Maddie's® Million Pet Challenge  
UC Davis Koret Shelter Medicine Program



# Save the Dates! Register Now!

## A New Era for Shelter Medical Care in CA:

*Telemedicine and Vaccine Clinic  
Legal Changes for 2024*

January 24, 2024 – 10 AM Pacific

<https://tinyurl.com/TMVX-Updates>



## Back Where They Belong:

*A solution-sharing summit to get animals home  
faster, easier, better*

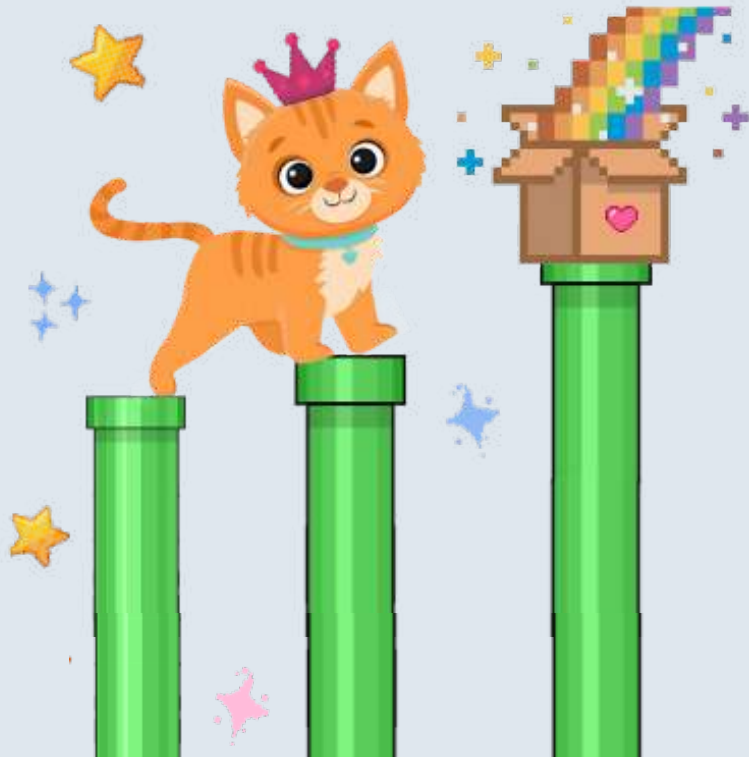
February 21 and 28, 2024, 9 AM-2 PM Pacific

<https://tinyurl.com/BackWhereTheyBelongReg>



# LEVEL UP YOUR CAT HOUSING:

## Game-Changing Upgrades Are Within Reach



Level up your cat housing even with limited resources! In this **webinar on 1/17/24 from 10-11:30 am PST**, UC Davis Koret Shelter Medicine Program veterinarians Dr. Becky Stuntebeck and Dr. Denae Wagner will unveil tips and tactics for creating housing that works better for cats and your team. You'll learn:

- How to improve your cat housing
- Setup & strategies that meet cat, staff, & shelter needs
- Double-compartment housing benefits for cats & staff

*Register now to join us live  
or watch later on-demand!*

[TinyUrl.com/LevelUpCatHousing](https://TinyUrl.com/LevelUpCatHousing)



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