

Dear State Representatives, Senators, and other Mississippi Officials:

We are writing to you to help facilitate action on the cruelty involved with the chaining, tethering, or other inhumane means of confinement of companion animals. The "Mississippi Dog and Cat Pet Protection Law of 2011" (§ 97-41-16) states that it is a crime to "confine in a cruel manner" a dog or cat. This law was a significant victory in the combating animal cruelty. However, the law as written does not explicitly restrict tethering or chaining despite the fact that the overwhelming majority of animal behavior scientists and pet organizations consider chaining/tethering to be cruel, especially when the dog is chained for more than a few hours a day. The United States CDC has also reported the chained dogs are more likely to be aggressive and attack people, especially small children. Finally, a chain does not allow the animal to escape harm.

Local law enforcement authorities should be able to interpret the existing law in such a way as to prohibit tethering or chaining of companion animals for extended periods of time, but we are all aware that local authorities often do no such interpreting. We can further expand this law and delineate explicitly that tethering/chaining is restricted. This would allow local authorities to enforce the law in a clear manner while providing necessary protections to prevent cruelty to companion animals. These additional protections would further the goal of last year's Act.

In case anyone is unsure of whether prolonged tethering/chaining is indeed "cruel" or inhumane, may we present a few key points:

According to the American Society for the Prevention of Cruelty to Animals (ASPCA):

"Dogs are social beings who thrive on interaction with humans and other animals. While people with large parcels of land—and those without fenced-in yards—use tethering as a means of keeping dogs on their property, this type of confinement causes the animals a great deal of physical and psychological pain.

... Tethered dogs are often the victims of inadequate veterinary care and exposure to weather extremes. They are forced to eat, sleep, urinate and defecate in the same confined area, which goes against their natural instincts.

Tethering for short time periods, using appropriate equipment, in an animal-friendly environment (access to water, shelter and toys, for example) is generally harmless. However, keeping a dog on a tether for the majority of the day often leads to negative behavior changes. Tethered dogs run a high risk of becoming 'stir crazy' due to the inability to release their energy and socialize with others."

According to the Humane Society of the United States (HSUS, with which many county animal control departments and shelters cooperate):

"Dogs are naturally social beings who thrive on interaction with human beings and other animals. A dog kept chained in one spot for hours, days, months or even years suffers immense psychological damage. An otherwise friendly and docile dog, when kept continuously chained, becomes neurotic, unhappy, anxious and often aggressive."

The USDA wrote in 1996:

"Our experience in enforcing the Animal Welfare Act has led us to conclude that continuous confinement of dogs by a tether is inhumane."

We propose that the "Mississippi Dog and Cat Pet Protection Law of 2011" be amended to include the following provision:

the restriction of tethering/chaining a dog (or cat) to no longer than 4 hours per 24-hour period. In this circumstance, the chain must be at least 10 feet long or 5x the length of the dog from the end of the snout to the base of the tail, whichever is greater. Further, the owner must be present on the premises, and the animal must have adequate access to food, water, and a safe environment, free from obstacles or collars which may cause choking or tangling. The animal may not be left outside during extreme weather events, including but not limited to: extreme heat, extreme cold, thunderstorms, hail storms, snow fall, or flooding. Any permanent outside enclosure must provide sufficient area for exercise and play, at least 150 square feet of space for dogs over the age of six months.

We make this proposition based on several laws, from both local communities and other states. There are numerous examples, too many to list, but for your convenience a selection of them are listed at the end of this document. We hope you will consider this letter seriously and enact an amendment to the existing law using the above wording or a similar construct.

Sincerely,
Cody Jordan and 1,000 signees (568 residents of Mississippi)

Change.org petition: <http://goo.gl/6MG8m>

A selected collection of laws and ordinances regarding the tethering of dogs:

Texas § 821.077. Unlawful Restraint of Dog

(a) An owner may not leave a dog outside and unattended by use of a restraint that unreasonably limits the dog's movement:

(1) between the hours of 10 p.m. and 6 a.m.;

(2) within 500 feet of the premises of a school; or

(3) in the case of extreme weather conditions, including conditions in which:

(A) the actual or effective outdoor temperature is below 32 degrees Fahrenheit;

(B) a heat advisory has been issued by a local or state authority or jurisdiction; or

(C) a hurricane, tropical storm, or tornado warning has been issued for the jurisdiction by the National Weather Service.

(b) In this section, a restraint unreasonably limits a dog's movement if the restraint:

(1) uses a collar that is pinch-type, prong-type, or choke-type or that is not properly fitted to the dog;

(2) is a length shorter than the greater of:

(A) five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail; or

(B) 10 feet;

(3) is in an unsafe condition; or

(4) causes injury to the dog.

California S § 122335

It is unlawful to "tether, fasten, chain, tie, or restrain a dog to a doghouse, tree, fence, or any other stationary object for a period of more than 3 hours within a 24 hour period ... in order to complete a temporary task."

Fayetteville, AR Chapter 92.02 (F)

No dog shall be chained or staked to a fixed point. Dogs shall be kept in an enclosure or by trolley system, so placed that the animal may not intrude on other property, whether public or private, and provide adequate room for normal postural adjustments, exercise, and access to water, food, and shelter. The area where any animal is confined must provide proper and adequate drainage. The owner or harbinger of the animal shall be on the premises when the animal is confined to the trolley system.

Jonesboro, AR Sec. 6.08.05.

Unless otherwise permitted under subsection d and e, it shall be unlawful for any person to tether, fasten, chain, tie, restrain or cause a dog to be fastened, chained, tied or restrained to houses, trees, fences, garages or other stationary or highly immobile objects by means of rope, chain, strap, or any other physical [restraint] for the purpose of confinement, except an adult dog age 1 year or over and less than 20 pounds may be so tied for a time period not to exceed 2 hours.

Athens-Clarke County, Georgia Sec. 4-1-2b.

"It shall be unlawful for any owner of a domestic animal to chain, tie, fasten or otherwise tether the animal to dog houses, trees, fences, vehicles or other stationary objects as a means of confinement except that the animal may be temporarily confined by a tether while attended by its owner."

Frankfort, Kentucky (♣70 Code, • 8.04.120)

"It shall be a violation of this section for the owner or person in possession of any dog to tie, chain, or otherwise tether a dog; provided, however, that a dog may be temporarily tethered, tied or chained if attended by its owner or any person over the age of 14 years. A person walking a dog on a leash shall not be considered to be tethering a dog."

Carthage, Missouri Sec 4-7 (a)

"All dogs must be confined within a fenced area, unless on a leash not longer than six feet long. At no time may any dog be tied to or leashed to inanimate objects i.e. trees, posts, etc. (b) Persons found guilty of violating this section will be liable to fines ranging from: \$25.00 - \$200.00. However, if said dog has been spayed or neutered the fines may be reduced, upon provided proof."

Big Spring, Texas Section 3-40 (b)

It shall be unlawful for the owner, caregiver, or keeper of any dog to restrain or anchor a dog by means of a tether, chain, cable, rope, or cord, unless the tether or other restraint is being personally held by the owner, caregiver, or keeper of the dog. No dog may be attached to any inanimate object.

Fort Worth, Texas Section 6-13 (d)

It shall be unlawful for a person to use a chain, rope, tether, leash, cable, or other device to attach a dog to a stationary object or trolley system.