

From: [Lisa Kirk](#)
To: [Enid Mendoza](#)
Subject: Public comments for the public protection commission meeting May 19th
Date: Monday, May 19, 2025 1:20:40 PM

Good afternoon commissioners.

I am bringing the attention to this committee regarding statewide lawsuits that have been brought against Municipal animal services in California.

These lawsuits have been filed by nonprofit animal rescues and individuals regarding the turning away of healthy animals from Municipal shelters, resulting in violation of the state law known as the Hayden Act.

This particular state law mandates that Municipal shelters taken stray and abandon animals.

In both lawsuits the plaintiffs have prevailed

In November of 2021 a animal sheltering consultant, known as Korets Shelters Medicine stated on a zoom meeting hosted by Contra Costa Animal Services then director Beth Ward, that are shelter would never take in healthy cats and kittens again. This statement was made by Kate Hurley the president of this consulting firm.

This statement resulted in a policy that was adopted by Contra Costa Animal Services without a hearing or a resolution before the Board of Supervisors in this County

Also at this meeting Animal Services veterinarian Catherine Mills stated that they were cutting all spay and neuters specifically for outdoor Community cats known as TNR clinics.

The measure X funding request from Animal Services in 2022 stated that there were 450,000 indoor outdoor cats in Contra Costa County alone.

The grand jury report on Contra Costa Animal Services in 2021 stated that all non-mandated Services been turned over to local non-profits, with no funding attached or recommended.

The Hayden Act is a state mandate.

Since 2021 this is the scenario that has followed due to these above actions by Contra Costa Animal Services.

Citizens have called the shelter to have them intake stray or abandoned cats and kittens and have been turned away and been told to just leave them outside without recommending that they reach out and get them spayed and neutered through some unfunded non-profit program.

Small nonprofits have been buried in the overwhelming request for assistance not only in spay and neuters and vaccine but to take these animals into their systems to find fostering and adoptions.

At that time there was an estimated 450,000 indoor outdoor cats. Contra Costa Animal Services failed to track the number of calls that were received where

they turned away healthy cats and kittens. 4 years later no one has an estimate of how it increased the population.

These animals have become known as ghost animals and or invisible to the municipal shelter but not invisible to those of us in

rescue or your citizens of the community on which they are left on the street.

The policy of turning away animals from shelters was to reduce their euthanasia rates that resulted in a overwhelming domestic animal overpopulation in this County.

Under the new leadership of Ben Winkle black the new animal service director, Trap meter in return clinics have been reenacted.

But the last 4 years of the violation of the Hayden Act,by not taking in stray and abandoned animals and cutting spay and neuter services has created a financial hardships on your local small non-profit rescues.

My goal with this commission is to find a solution and funding possibilities for small non-profit rescues that are now absorbing the animals that are being turned away from our Municipal shelter.

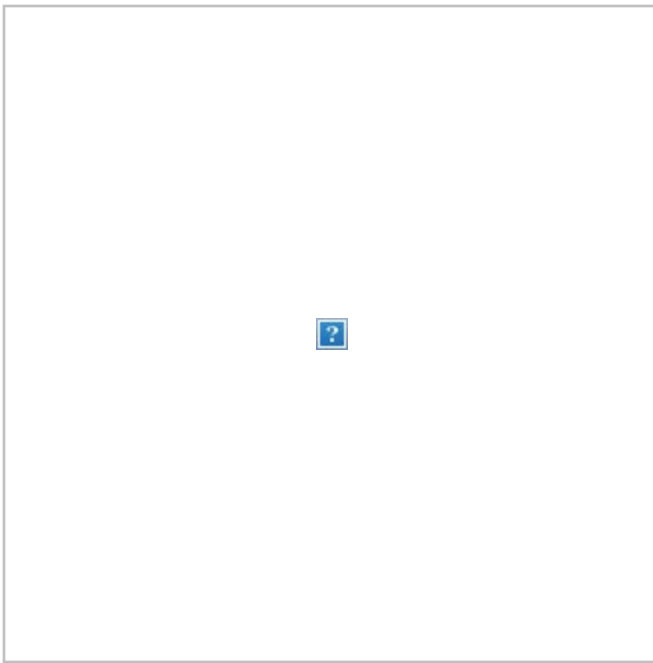
Although animal advocate groups are now suing counties individually, I do not think that is the solution and would only increase the euthanasia of cats and kittens if brought into the shelter

My other concern is there was a \$900,000 estate given to Contra Costa Animal Services. Those of us in animal rescues would like a chance to comment on how this money is going to be used and is it going to be put into the animal benefit fund.

Please contact the animal service director and address these concerns for a future agenda item for this commission.

Lisa Kirk
Fix our Shelters

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Ask Me Anything #8: Ghost Animals: The Unseen Crisis Behind Shelter Statistics

How Turning Away Animals Creates
Invisible Victims-and What True
Transparency in Animal Welfare Demands

ED BOKS

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Unseen Casualties in Animal Welfare

This 8th edition of *Ask Me Anything* tackles a vital

question from Collette about one of animal welfare's most urgent and least visible crises: *ghost animals* - those animals turned away by shelters and never counted in official statistics.

Collette asks:

Have there been any attempted or completed studies on ghost animals turned away by shelters, and what happens to them?

The Data Gap

The unfortunate reality is that there are no comprehensive studies that systematically track the fate of these *ghost animals*. By their very nature, *ghost animals* are uncounted and untracked - excluded from shelter data and, as a result, from public awareness and policy discussions. This invisibility makes it nearly impossible to quantify how many animals are turned away or what ultimately happens to them.



*The consequence of **Managed Intake** policies is a burgeoning population of intact stray animals undermining animal welfare and public safety.*

Defining Ghost Animals and Managed Intake

As I explored in [my article](#), “*Ghost Animals: The Unseen Casualties*,” the plight of animals turned away from shelters - and thus omitted from official statistics - remains a hidden emergency. Declining

intake numbers and rising save rates may suggest progress, but these metrics mask the grim reality for animals denied entry.

Esther Mechler, founder of *United Spay Alliance*, defines *ghost animals* as those rejected by shelters due to *managed intake* policies designed to boost live-release rates. These animals are often abandoned, left to fend for themselves, and many do not survive. They are invisible to the system - unrecorded, unhelped, and too often forgotten.

Legal Challenges: Courts Take Notice

Recent legal challenges, such as the pivotal San Diego court ruling, have exposed the ethical and legal shortcomings of managed intake policies in California. The court affirmed that shelters cannot prioritize statistics over their duty to serve as safety nets for vulnerable animals, signaling a reckoning with the true scale of this crisis.

Case Study: Riverside County

Notably, the recent *Riverside County* lawsuit further underscores this shift. The court allowed key claims to proceed against the *Department of Animal Services* for failing to maintain proper records, provide adequate care, and comply with state animal welfare laws - practices that enable the invisibility of ghost animals. While the court did not directly rule on *managed intake*, its decision to hold shelters accountable for

transparency and legal compliance signals that the days of opaque or neglectful intake practices may be numbered.

In my recent article, *Context is King: How Intake and Euthanasia Data Reveal Riverside's Animal Crisis*, I examine how, without robust sterilization programs, *managed intake* policies simply narrow the shelter's front door - leaving countless animals to multiply and suffer, unseen, throughout the community.

When Animals Disappear

The consequences are especially stark in states like California and Texas, where save rates lag behind the arbitrary and misleading “*no-kill*” benchmark promoted by some national organizations. Despite declining shelter admissions, these policies allow many animals to disappear from the system entirely, joining the ranks of *ghost animals* - unseen casualties of a system that values optics over lives.

Compounding the problem, national organizations* have shifted focus away from spay/neuter funding, undermining the most effective tool for preventing animal overpopulation. As sterilization programs wane, unaltered animals multiply, swelling the population of strays - and, inevitably, ghost animals.

A Call for Transparency and Accountability

To truly understand and address the impact of managed intake and “no-kill” claims, all shelters must be required to record and publicly report every animal turned away or redirected - not just those admitted. Transparent reporting is essential to measure real progress, identify gaps, and ensure that no animal is rendered invisible for the sake of statistics.

To address this crisis, we must:

- **Reinvest in spay/neuter programs** to prevent overpopulation at its source.
- **Mandate comprehensive reporting** on all animals encountered, including those turned away or diverted.
- **Reevaluate managed intake policies** to ensure shelters remain true safety nets for their communities.

Shining a Light on Ghost Animals

The story of America’s *ghost animals* is one of invisibility, but it doesn’t have to be one of inevitability. By confronting the hard truths behind our shelter numbers and committing to real solutions, we can ensure that progress is measured not just in statistics, but in the lives we save - and the lives we refuse to ignore.

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Ed Boks is a former Executive Director of the New York City, City of Los Angeles, and Maricopa County Animal Care & Control Departments, and a former Board Director of the National Animal Control Association. His work has been published in the LA Times, New York Times, Newsweek, Real Clear Policy, Sentient Media, and now on Animal Politics with Ed Boks.

Do You Have a Question?

I want to hear from you! Whether you're a seasoned animal advocate or just starting to explore the world of animal welfare, I encourage you to submit your questions. Your input will help shape future editions of "*Ask Me Anything*" and ensure that we cover topics that matter most to you.

How to Participate:

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*National Organizations

The term “*national organizations*” refers to the country’s largest and most influential animal welfare groups. These organizations collectively shape sheltering policy, funding priorities, and public messaging in the United States, and together contribute more than \$100 million annually to animal welfare efforts.

Some advocates refer to these organizations as a “*Consortium*” to highlight their informal alliance and outsized influence on shelter policy - sometimes at the expense of prevention, transparency, and public safety. Their joint policy statements and funding decisions often set the direction for shelters nationwide, impacting how data is reported and which programs receive support.

This network includes:

- *Maddie’s Fund*
- *Koret Shelter Medicine Program (KSMP)*

- *Best Friends Animal Society (BFAS) / Shelter Pet Data Alliance (SPDA)*
- *American Society for the Prevention of Cruelty to Animals (ASPCA)*
- *PetSmart Charities*
- *National Animal Control Association (NACA)*
- *Human Animal Support Services (HASS)*
- *Outcomes Consulting*
- *Team Shelter USA*



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