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STATE COMMISSION OF  
INVESTIGATION

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Dear Ms. Saros:

The following is the response of the Bergen County SPCA to the report of the Commission of Investigation. I trust this response will be printed along with the report when it is distributed.

**Response to report of State Commission of Investigation  
RE Bergen County SPCA Law Enforcement**

The completed report of the investigation of agents of the State Commission of Investigation (SCI) into the activities of the Bergen County SPCA Law Enforcement Division (BCSPCA) has all the authority of the report issued by the Special Counsel into the activities of President Clinton in that after spending some \$64 million it had a need to justify its existence and expense. In view of the fact that the SCI may be in danger of losing its funding, it is inherent in its own best interests to produce reports that appear to be the result of in-depth investigation uncovering problems that need to be addressed; whether or not that is true.

The report of this investigation culminates several years of inquiry by representatives of the SCI and, with certain glaring exceptions, is little more than an effort to bolster what appears to be a predetermined conclusion. It, as well, takes considerable information from a biased report, compiled by Stuart Rhodes for the State SPCA in its efforts to take control of Bergen County and install Rhodes as its Chief.

The prime investigator, Mr. Michael Dancisin, had, during the course of the investigation, indicated that he would make note of the cooperation provided to him by the current officers of the BCSPCA. Not only was such a notation absent from the report, but Mr. Dancisin made no effort to distinguish between the previous administration and the current officers.

In addition, he freely uses innuendo, half-truths and blatant falsehoods in his obvious effort to discredit the agency, its officers and the volunteers who have given so much of their time and energy. He has placed himself in the position of a television news anchor

who purports to be delivering an unbiased reading of the news, but with an arched eyebrow or sneer is telling the audience what his true thoughts on the matter are.

Mr. Dancisin is well aware that as of the year 2000 there was a major change in the leadership of the BCSPCA. He does note that several members left the BCSPCA and affiliated with the state SCPCA. But even in making such reference he is totally disingenuous for not pointing out the fact that those persons who left Bergen County are the ones who committed these acts and those he most seriously criticizes for inappropriate and illegal activity. The remainder of those who departed were their supporters.

Mr. Dancisin is again disingenuous in referring to record keeping, training, purchases and misappropriations as though the current officers are responsible. He quietly notes that Mr. Jason Peters, the former Deputy Chief, was responsible for seriously questionable purchases and payment aided and abetted by his brother, Todd, who at the time was the organization's treasurer. As well he points a finger at Robert Cicala, a retired Bergen County Police Sergeant and the former Chief of the BCSPCA for improper purchases, expenditures and use of organization equipment.

It is interesting to note that at no juncture does he make note of the fact that Rhodes was the BCSPCA Finance Committee Chairman responsible for the oversight of the incoming and outgoing funds and ostensibly overseeing Jason and Todd Peters in the distribution of funds. The period of his chairmanship was prior to and subsequent to the time that the reports notes the Peters brothers freely helped themselves to BCSPCA funds. The fact that Rhodes was the most ardent and vocal supporter of the Peters, Jason in particular, raises many serious questions. No note is made of Rhodes efforts to install Jason Peters as BCSPCA Chief, a position that would have permitted a total cover-up of the serious misuse of funds. The question could seriously be raised as to whether Rhodes failure to provide such oversight was an error of omission or commission. And again the question must be asked as to why Mr. Dancisin failed to make note of any of these facts.

Mr. Dancisin has no problem in referring to current members as "cop wannabes," and the organization as a "gun club," without noting that the verbiage originated in a report compiled for the State SPCA by Stuart Rhodes," who had sought to keep Peters as not only a member of the BCSPCA, but to elevate him to the position of Chief. It is interesting to note that both Peters and Rhodes, as well as Peter's brother, Todd, have now affiliated with the State SPCA therefore making the Rhodes document a totally self-serving report filled with falsehoods and inaccuracies. Why Mr. Dancisin chose to use verbiage from this document without offering a credit as to its origin can only raise the suspicion that he sought to create facts to support his conclusion; a conclusion that obviously was reached prior to the investigation having been started.

Mr. Dancisin refers to members of the BCSPCA as "gun-toting," without the qualification that under the current administration Officers are severely restricted as to when they may carry firearms. He has intentionally finely crafted a false picture of this organization. Under the command of Mr. Peters and his associates, members were give

far wider latitude in the carrying of firearms than they currently possess. Mr. Dancisin was fully aware of this fact, yet he chose to totally ignore it. The current BCSPCA administration has worked closely with the Bergen County Prosecutor's office in many matters, including the carrying of firearms. In fact, it was with the close cooperation of that office that just last week a search warrant was obtained in an investigation conducted by the BCSPCA.

The SCI's Dancisin reports that Officers owned no guns before joining the BCSPCA, subsequent to membership purchased "numerous weapons." That is a vacuous statement not backed up by names or any proof whatever. Could his reference been to the Peters brothers, Mr. Rhodes, Mr. Shatkin or any of the officers who left the BCSPCA for the state SPCA when they were denied the ability to take over the organization? If the reference "cop wannabe" is relevant to any individual, or group of individuals, it is without question the above named Jason Peters, Stuart Rhodes and Steve Shatkin, all of whom enjoyed dressing up in uniform and strutting around with firearms at any given moment.

Further he reports that BCSPCA vehicles have red lights because we "...back up" police on MV stops. That is pure fiction and could only have come from Peters or Rhodes. Our officers have been informed that if they are not on duty they have no more authority than the ordinary citizen. And as good citizens should offer assistance to police whenever necessary. Mr. Peters is the only individual who adorned his personal vehicles with lights and sirens, yet Mr. Dancisin makes no note of this, rather tarring the entire organization with the Peters brush. His continued use of pejorative such as "cop wannabes" is designed to create a wholly negative impression of the BCSPCA when he is fully aware that with the departure of the Peters cabal, the BCSPCA was well on its way to weeding out those who thought they were cops.

He further contends that BCSPCA officers "resented" being told that the parameters for carrying firearms had been narrowed by the Bergen County Prosecutor's Office. That could only have come from Peters or Rhodes but Mr. Dancisin includes this as though it were fact rather than innuendo from disgruntled and disgraced individuals. (See previous page.

There is reference to response by the BCSPCA to complaints of animal cruelty. This is a situation the BCSPCA takes very seriously and there is no doubt that in some instances the response was late or inadequate. Part of the reason for this problem, as Mr. Dancisin should have been aware, was the fact that Jason Peters deleted all the records from the hard drive of the organization's computer before turning it over to the new dispatcher. It was necessary for the organization to retool and start from scratch. Unfortunately while that was taking place, some cases were not handled in a timely manner.

But it should have been noted as well that this was to the benefit of the State SPCA and that Jason Peters was now involved with that organization. Calls from police departments and others with reports of animal cruelty were still frequently directed to

Peters' home because his name and number were on file in many places. BCSPCA made a concerted effort to update the information, but not all departments passed the information along. Peters did not forward calls made to his number to the current dispatcher. Instead it appears as though they were handled by the State which in turn charged that the BCSPCA was not doing its job. What, in fact, they did was to create a self-fulfilling prophecy. It should be noted that under the current squad system virtually every officer from Chief to trainee is involved in responding to cases and the necessary follow up. It is true that in some instances certain individuals handled far more cases than others did. So what? Do certain police officers make more arrests than others or issue far more tickets? Of course they do. Do some volunteers in any organization devote more time than other members? Without a doubt.

The BCSPCA has developed a system whereby complaints may be received 24/7 and acted upon with due diligence. What must be taken into consideration is that, unlike the state where the Chief is paid a rather handsome salary and all other officers receive substantial remuneration, the BCSPCA does not pay any of its officers for the enormous number of hours they expend on behalf of animal welfare. The State also maintains a fleet of cars, all equipped with lights and sirens, for the questionable use of its officers while most BCSPCA officers use their own vehicles and do not bill for mileage.

The report is also highly critical of training offered to the officers. The investigators were well aware that those same individuals who left the BCSPCA in disgrace were in charge of training programs. Since their departure new programs have been put in place and others are in the development stage and set to be introduced, that will make the BCSPCA officers among the most highly qualified in this field.

The report notes that officers wear uniforms and, in fact, have two sets, one for summer and the other for winter. Why is this a problem? Is this any different than a volunteer fire department or Auxiliary Police unit? The officers pay for their own equipment and, for the most part, do not even seek reimbursement for out of pocket expenses...unlike Mr. Peters who, according to the report, raped the BCSPCA treasury for his own aggrandizement.

Jason Peters purchased a 1999 Ford Crown Victoria referred to in the report. The purchase, of about \$22,000, was undertaken, while Rhodes was Finance Committee Chairman, without authority or the consent of the Board of Directors. Peters, as the de facto chief of the BCSPCA forced through a retroactive approval. That car was subsequently assigned for the personal use of Chief Robert Cicala while Peters was given another vehicle for his personal use. (See attached General Order 98-4). The oldest and most used car in the fleet, the Chevy Caprice, donated by the Borough of New Milford, was assigned to general case work.

The reference in the last paragraph of Page 5 to guns, wannabe cops and gun club mentality is again the verbiage proffered by Stuart Rhodes in his "report" to the State

SPCA. It is disingenuous to use the testimony of an individual with an axe to grind against an organization that has refused to have anything to do with him or his associates, the Peters brothers. In fact, it is well known, but ignored by the report, that Mr. Rhodes has broadcast that the State SPCA will take over the Bergen County operation and that he will be made the county chief. If this isn't sufficient incentive for him to create this atmosphere, what is? And why isn't note of this "power grab" of his and the State's noted in the report? It is perhaps one of the more relevant pieces of information that would put many of the puzzle pieces in their proper order and perspective.

The report's reference to an unnamed officer who used the BCSPCA vehicle to travel to his home in Pennsylvania fails to note that it was Robert Cicala, then the chief and the individual who ceded virtual control of the BCSPCA to Jason Peters. The vehicle he used was the new auto purchased by Jason Peters for \$22,000. It makes reference to business cards ordered by the chief and deputy chief but fails to identify them as Cicala and Peters. It refers to a traffic ticket from Florida paid for with BCSPCA funds. It should be noted loud and clear that that the individual was Todd Peters, BCSPCA treasurer and brother of Jason Peters. Isn't it curious that the same names continue to surface when there is any hint of wrongdoing or improper conduct, yet the report makes no reference to these individuals having left to BCSPCA? Why?

These are individuals who predate the current BCSPCA administration, as was well known to the investigators. Yet no note is made of the fact, instead the report permits an impression that these are current activities. The report is correct in its assertion that records for the years prior to 2000 were woefully inadequate or non-existent. But it does not note that the organization was then under the control of the self-same people it enjoys quoting with reference to cop wannabes and gun-toting individuals. On one hand the investigators totally discredit these individuals, but when it suits the purposes of the investigators, these people suddenly become credible. It can't be had both ways.

The report makes reference to tee shirts, golf shirts and other garments with the BCSPCA logo. It makes no reference to the fact that individual members purchased them with their own funds. And while it appears to seek to make this a negative act, it never explains why members possessing such items are doing anything improper. It is simply another instance of innuendo by the investigators in an obvious effort to build a case. It should be strongly noted that the only items provided by the BCSPCA to its members are ID cards, badges and communications equipment. That equipment, incidentally, was also purchased by Jason Peters for thousands of dollars. The individual pays for everything else.

What should be strongly questioned is why there does not appear to be any record of regular cash deposits to the BCSPCA account by Todd Peters, the treasurer at the time, for reimbursements for the above mentioned shirts and sundry items.

The SCI reports indicates that a gun was used as a gavel at one meeting. What it fails to note is that this unfortunate incident took place in the late 1960s, more than 30 years ago. Why is Mr. Dancisin so intent on building a case against the current membership of the

BCSPCA that he sinks so low as to dredge incidents from nearly four decades in the past in an effort to smear the BCSPCA? No right-minded attorney would want to go into court with evidence of this quality

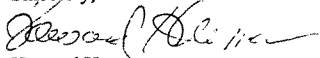
There is no dispute that prior to the year 2000 the BCSPCA was not run in an appropriate manner. It is also fact that those were the years it was under the direction of Cicala, the Peters brothers and their associate, Stuart Rhodes. If he were to be honest, Mr. Dancisin would have noted that the current administration provided every record and piece of information he requested without the need for a subpoena. He received nothing less than full cooperation and then reneged on his promise to make note of that.

Nor was there any reference to the fact that the current administration informed him that it wanted to institute legal action against the Peters brothers, Jason in particular, for the misappropriation of funds. At his request any threat of action was delayed until this report was concluded. Yet again there is no hint of the cooperation provided by the BCSPCA.

There is no conclusion that may be reached other than the investigation had a predetermined conclusion and that the investigators would do only what was necessary to bolster that conclusion. Again, as in the efforts of Special Prosecutor Kenneth Starr, it appears as though the SCI, threatened with a cutoff of funds, found it necessary to manipulate the truth in order to justify its own existence. No official agency of this state or any other governmental entity should be permitted that latitude.

The members of the BCSPCA are a dedicated group of individuals who undergo hundreds of hours of training in order to perfect their mission of enforcement of the animal cruelty laws. Likewise, BCSPCA officers spend an aggregate of thousands of hours in investigation and follow-up. Complaints rise drastically in extreme hot and cold weather. Officers have been called out and willingly go in snowstorms, severe rain and exceedingly hot days. They are called out at all hours of the day and night and follow up their initial investigations with court appearances. Officers make regular appearances at organizational picnics, National Night Out and at the Bergen County Police and Fire Academy to educate the public regarding animal cruelty laws. Simply put, they do not deserve the negativism and falsehoods aimed at them in this report.

Sincerely,



Howard Herman  
President  
BCSPCA

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STATE COMMISSION OF  
INVESTIGATION

**RESPONSE TO THE STATE COMMISSION OF INVESTIGATION'S REPORT  
SUBMITTED ON BEHALF OF THE OF THE HUDSON COUNTY SOCIETY  
FOR THE PREVENTION OF CRUELTY TO ANIMALS**

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## PART I

### **RESPONSE OF THOMAS HART, EXECUTIVE DIRECTOR OF THE HUDSON COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS**

#### **A. Qualifications, Experience And Expertise of Thomas Hart For Making This Response**

To understand fully and to develop an accurate picture of The Hudson County Society for the Prevention of Cruelty to Animals (the "HCSPCA") requires the full context within which such a picture can be developed. If any aspect of that context is missing or distorted, then the result is a sense of the HCSPCA that is invalid and one upon which no accurate opinion can be formed.

The following is submitted to you based on the various perspectives of experience and expertise with which I approached this issue and the various perspectives of involvements over now thirty-five years and within which I developed my own now expert knowledge of the HCSPCA. Those perspectives are as follows :

1. Thirty-five years of hands-on involvement with the private not-for-profit, social service sector of Jersey City, Hudson County, and New Jersey, as well as the general sector nationally.
2. An overseer role from my positions in The United Way of Hudson County which agency is intimately involved with every aspect of each of Hudson County's and Jersey City's non-profit social service agencies. From that position and with those responsibilities, I worked with each agency and with the agencies and The United Ways in the Tri-State region.
3. My role as a member of the elected Municipal Council of Jersey City, whereon I chaired the Committee on Administration which oversaw the non-profit sector and also oversaw The Jersey City Department of Human Resources within which is The Division of Health and the Office of Animal Control.
4. My position as a municipal administrator, my duties being to oversee special projects in Jersey City as a direct representative of the Mayor and working out of the office of the Business Administrator, dealing primarily

with the relationship between the city and autonomous and private sector agencies.

5. The founder and chair of The Jersey City Animal Welfare Committee, an organization dedicated to animal-related issues, including but not limited to legislative, veterinary, rights, financial, and public relations programs, activities, and events. From this particular organization was born The Hudson County Animal League. My organization (the HCSPCA) also is one of the five recognized animal-related organizations in Hudson County, included with these two above named are also Companion Animal Placement (CAP), Animals Need U, and The Liberty Humane Society. At one time in the recent past, I chaired a coalition of all of these groups under the name Hudson Animal Welfare Committee (HAWC). Through this, I have worked with every member of the County's and the City's animal rights and rescue organizations.

6. Education, research, work, and interaction with related organizations, agencies, entities, and individuals, including but not limited to The Humane Society of the United States, The World Wildlife Federation, Greenpeace, PETA, individual animal Shelters and centers across the U.S., law enforcement agencies, governmental agencies, including EPA, DEP, and agencies within the Department of the Interior.

7. Personal study and research regarding domestic animals and wildlife - history, trends, projections, philosophy, psychology, anthropology, Sheltering in all its regards, et al.

8. I offer that all of this resume allows me the opportunity to have developed a complete set of information so as to have and to provide an accurate whole sense of the Hudson County SPCA, from its inception through my own vision and now hands-on directorship of its future. In order to have a full and accurate sense of the HCSPCA, the reader must also look at the entity in two separate though related ways.

You must first look at the SPCA in its status as a non-profit agency and then, secondly, look at it within its stated mission. If you omit either of these, the result, again, is invalid and distorted.

## **B. Overview**

### **1. The Not For Profit Sector In The Urban American Renaissance 1980-1999**

From the middle of the nineteenth century America witnessed that great European immigration which provided this nation its largest population and from which it derived its image as a "melting pot". The American port cities of New York on the east and San Francisco on the west saw an influx of people, which, in retrospect, is almost frightening. As urban America spread and grew, there came more cities with more people and more of the problems intrinsic thereto. In response to those problems, there came forward any number of persons who sought to address and resolve the issues and problems facing so many people and thus was born the American social service movement. Today, there still remain a great number of those agencies. However, it must be understood and accepted that a social service agency springs directly from the need of the society it purports to serve. Any changes in that society will have a direct and dramatic effect on any service agencies within that society.

While most American cities moved steadily ahead, Jersey City lagged behind. Jersey City is a unique place in that it was the first city in the continental U.S. in New York harbor and, as recently as the 1950s, had a population of more than 300,000 people while being a city of just sixteen square miles in size. As well, the political overtones of the city always predominated and, thus, held back any real forward moving positive progress. Ironically, it is, perhaps, those very reasons, which resulted in the fact that, beginning in 1981, no city in the world has changed and progressed as rapidly and as dramatically as Jersey City. Still, at this moment, it is the "hottest" real estate in the world and has changed completely from an overcrowded, industrial, blue-collar, lower socio-

economic city to a city of some 220,000 people. It now is a major corporate player in the international community, whose diverse population has earned us the title of the "most ethnically diverse city in America". More dramatically, however, we have up scaled economically to the point that, until recently, the richest man in the U.S., as determined by those who make those determinations, lived here in Jersey City. The factories, junkyards, railroad yards, and rotting piers have been replaced by high-rise, high-tech office buildings, headquartering such names as Paine-Webber, Chase Manhattan, Goldman Sachs, and Merrill Lynch, not to mention all of the banks and other Wall Street firms now located here.

One of the more unnoticed phenomena of these changes but the one poignant to this report is that of pet ownership. To give you an analogy, the New York City ASPCA doesn't get calls from Park Avenue or from the World Trade Center area. There is a direct defined link between SPCAs and related organizations with the lower economic areas of America. That is how it always has been and how it always will be. Thus, then, beginning with the full impact of the Jersey City rebirth in the early to mid-1980s, there became a rapid and growing disenfranchisement of the SPCA in Jersey City and Hudson County as surely and definitely as happened with the other social service agencies and other services related to the former reality of this city. It is a direct correlation and not a mere coincidence that, during this same time, Jersey City lost its YMCA, YWCA, its Boy and Girl Scout Councils, any number of youth agencies, and, most significantly, its welfare programs, and its local "free clinic" type medical services. As well, the only public hospital, the five building, high-rise Jersey City Medical Center has been replaced by a small private hospital, currently being built on highly priced real estate that once

housed low level factories.

The point of this knowledge is to enlighten you to the fact that the city no longer sees packs of dogs roaming the streets. Pet ownership now involves purchases from pet shops and kennels of dogs and cats which are more pure bred and who, thankfully, belong to responsible, resourced owners who tend to items like licensing and veterinary care, preventative veterinary care, and spay and neuter activity. Of course, there still remain problem areas and animals which need care and attention when they are abandoned or abused. However, that number is so dramatically different and the situation so much smaller in scope as to demand dramatic changes in the address of those problems and the opportunities for those animals either abandoned or displaced by the changing social conditions.

As with those other private, not for profit sector agencies in Jersey City and Hudson County, the HCSPCA became a disenfranchised agency with a rapid downward spiral of available resources. With the diminution of those resources, there came a commensurate downward spiral of human, financial, and other resources to maintain the HCSPCA as a modern, maximally efficient agency. In fact, the only "major" user of the facility remained the City of Jersey City, which used the Shelter as its depository for Animal Control functions. The City was the overwhelming user of the facility from 1993 to the present. Perhaps the greatest negative impact on the facility was the fact that, despite the fact that the City consistently used the facility every day for those years, the City did not pay the HCSPCA a single penny during all of that time. In fact, it finally required a court action by the HCSPCA to receive the funds due for services rendered. That court action took place in 1999 and the court determined that the city owed the

HCSPCA in excess of \$400,000.00. The HCSPCA agreed to a settlement of some \$300,000.00. However, the impact of the HCSPCA having to function during all those years without the city's payments completely exacerbated what would have been almost insurmountable odds for the Shelter resulting from all of the other socio-economic and demographic changes in the society of Jersey City and Hudson County. When presented all of these facts, it is absolutely incredible that the facility functioned at all. The results, which attend any situation of living "hand to mouth" or the like, hit the Shelter and its operations clearly were at bare minimum levels. However, please read on to see how and why the Shelter operated within the scope of its stated mission and how the HCSPCA came to be portrayed as a "perpetrator" when, in fact, it was a "victim", both because of circumstances and by the direct action of those with malevolent motives.

## **2. Animal Shelters In The American Urban Renaissance**

The up scaling of the American economy during this time had a dramatic impact on animal Shelters in America, especially in urban areas, mostly because of the dramatic change in pet ownership. Throughout history and to come, there is a direct connection between pet ownership and the economic strata of a society. Higher levels of income and greater ease of societal economics produces greater responsibility within that society. Crime always goes down. Retail increases, as do real estate property values, et al. There always is a direct connection between the economy and societal needs regarding animals. Whether in Ancient Rome or Dickens' London, in San Francisco or Jersey City, the need for an animal Shelter exists primarily in lower socio-economic areas where pet owners are less responsible by dint of financial hardship or simply ignorance. That is a



fact. The New York City Shelter doesn't get most of its calls from Park Avenue and Sixtieth Street.

So it was that the renaissance of Jersey City and the incredible change in economic levels had a commensurately dramatic effect on the Hudson County SPCA. This evidenced itself primarily in the disenfranchisement of the Shelter from the greater number of persons and, especially, from those persons of greater resources. My own term as Director thus far has proven that point again in that the overwhelming number of our incoming animals come from an identifiable area and are comprised primarily of pit bulls and pit mixes, another socio-economic phenomenon. The point is that the very mission of the HCSPCA - the care and dignity of animal life is impaired when the Shelter takes in its primary numbers of animals from persons or circumstances which cannot meet the financial needs of the Shelter to provide for those animals. Add to that the fact that, in urban American Shelters, the primary "client" is the municipality served. In Jersey City for example, the greatest number of incoming animals come from the Jersey City Division of Animal Control. This has been the case for as long as I have been aware of things. I repeat emphatically that you must keep in mind that, during the time cited in the SCI report, the city continuously availed itself of the service of the HCSPCA and DID NOT PAY FOR those services. That is corroborated by a court order in June, 1999, which ordered the City of Jersey City to pay more than \$400,000.00 to the HCSPCA. That emphasizes the problem of the HCSPCA, which already was impacted negatively by a disenfranchisement of resources, which problem was exacerbated by the lack of City payment, monies which were due the HCSPCA for services which were provided by the HCSPCA for which they were not paid a single penny for more than seven years,

Imagine any business trying to operate at all, no less to operate efficiently, when your largest customer refuses to pay for those services.

It also must be kept in mind and accepted that the HCSPCA mission is dedicated to dealing with a LIVE and LIVING product. The Shelter is unlike any other business, except perhaps for a hospital. The Shelter deals with living creatures, which means that there is no time to shut down, no time to take off. It means that there are emergencies and incredible surprises at any time of the day or night on any one of three hundred and sixty five days. There is no time when the Shelter can go without food or water or other necessities. There is no luxury in any regard which luxury might exist in another kind of business, which faces the kinds of changes and depleted resources as faced by the HCSPCA during this time period. Thus, the result of diminished resources allows only for a diminution in the quality of the service and the level of the hired personnel. The vehicles tend to get a little older because there is no resource to buy a new van. The food becomes lesser in quality because there is no resource to buy the highest grades and yet there are living creatures which must be fed. There is no luxury to update professional services so that you defer buying an answering machine or the latest technological devices. There are very few resources for salaries so that the personnel now come with fewer skills. The overall effect is exactly the same as any human family situation which faces a sudden dramatic depletion of resources - you live hand to mouth and you improvise and you make do with the little you have because the alternative to this unwanted operation level is no operation at all and that is not acceptable because the only remaining alternative is worse even than these conditions. It is a very common and extremely easily understood circumstance, this syndrome of downward spiral. It is

impossible to practice fine swimming techniques when one is drowning. What one does in that circumstance is to do whatever is necessary to stay afloat until someone comes along with the resources to save your life.

As a PRIVATE non-profit corporation, the HCSPCA had, has, and maintains, the right and privilege to determine its own philosophy, practices, principles, and programs. It is answerable to no individual or entity other than itself in setting and meeting its mission goals. As an animal Shelter, the HCSPCA is, has been, and remains, obligated to the laws, guidelines, regulations, and recommendations of the State of New Jersey and the City of Jersey City as regards "Health" aspects. It must be noted and accepted that, while conditions at the Shelter were suffering from outside forces, the daily functions came WITHIN THE STANDARDS ESTABLISHED BY THE STATE OF NEW JERSEY AND THE CITY OF JERSEY CITY. Whether we agree with those standards or not is another subject for another discussion. For these purposes here, it must be noted and accepted that, at no time in the period up to and including June 30, 1999 did the State of New Jersey or the City of Jersey City find sufficient cause to order the HCSPCA to cease or desist its functions. AT NO POINT did the City of Jersey City refuse to grant a license to the HCSPCA for its operations. At every time from its establishment as one of only four SPCA Shelters in New Jersey to be in existence since the Nineteenth Century, the City of Jersey City has availed itself of the services of the HCSPCA and it continues to do so to this day. However, there was a time during the decade of the 1990s when the City of Jersey City did not pay for those services, creating incredible hardship for the HCSPCA, a hardship recognized by the courts. When the City claimed that the nonpayment was due to conditions at the Shelter, the court questioned why then the City

continued to use the facility and why, moreover, the City continued to license the facility, the City did not have any truthful or valid response. The court awarded more than \$400,000.00 to the HCSPCA and the HCSPCA then even settled for a sum of \$300,000.00, thus "Saving" the City more than \$100,000.00 for the City's failure to meet its responsibilities. It should also be noted here that the City continues to use the HCSPCA since that court action and has not paid at all since the time of that original court action in 1999.

As well, it also should be noted here that the phenomenon of these socio-economic changes also results in the fact that the non-municipal clients who surrender animals to the HCSPCA for Sheltering or euthanasia very often do not have the finances to pay for those services. There are any number of animals which come to the Shelter from persons who never pay a dime. As well, when the Shelter would occasionally stand firm in its demand for fees, the persons often would simply leave the animal tied to the outside fence. There also are any number of occasions when a vehicle would pull up in front of the Shelter, the car or van door would open, and an animal would be thrown out onto the street, and the vehicle would drive away. The point is that there are hundreds of such cases at every Shelter. There are hundreds of unique opportunities for animals to arrive at the Shelter with no person to provide record information or to provide necessary funds and fees.

Still, the bottom line is that, whatever the manner or the circumstance, when the dust settles, there is the HCSPCA, without resources - human, financial, or otherwise - yet with a living creature to deal with, a living creature needing food, Shelter, love, and, more often than not, medical attention. Every animal which comes to a Shelter arrives

through abandonment of one sort or another and only on a very rare occasion is that animal in completely good health and condition. The animals who live in Shelters COME INTO THE SHELTER IN LESS THAN ACCEPTABLE CONDITION. The Shelter is not the cause of the problem and, as a result of the circumstances of urban America in recent decades, the Shelter became less and less able to address the problems of those poor animals, problems which existed for the animal before it ever got to the Shelter and, perhaps, were the very problems which the animal's owner decided were the reasons to bring the animal to the Shelter. The irony is that the major reason for the animal being in the Shelter is that the owner is unable to afford the care or the medical attention which the animal now needs, so they bring the animal to the Shelter to address the needs and resolve the problems. All the while of this, however, the Shelter receives fewer and fewer resources of its own for these poor and needy creatures.

PREFACE : Before accepting the position of Executive Director of the HCSPCA on August 4, 2000, I did thorough research of all facets and aspects of the organization, facility, staff, administration, and operations. I was not going to affiliate myself with any venture until I was certain about every facet and aspect and that I would be able to function according to my standards and would be able to implement those programs, activities, and events which were necessary to upgrade this entity to a millennial organization, serving the needs of the new Jersey City.

It also must be noted here that, as the head of one of the five organized animal related organizations in Hudson County, I had been privy to all of the public criticisms of the establishment. In fact, it was from a series of meetings of the five groups beginning in April, 2000, that I first approached the HCSPCA board and offered my assistance in

addressing their problems. I was greeted enthusiastically and warmly, given full and open cooperation in all regards and it was the HCSPCA board which offered me the position. I had not requested it. I did find it ironic that, upon my entry of involvement with the HCSPCA, only one other organization, The Hudson County Animal League, offered any volunteer effort and that was made by several members, not the entire membership. Three organizations, The Liberty Humane Society, Animals Need-U, and Companion Animal Placement never once have come to the Shelter, have not offered any assistance, have not raised any funds, and have not provided a single volunteer for any effort. This despite their protestations for years that they wanted to be involved with the HCSPCA, especially in terms of volunteerism. In fact, these three organizations continued a public attack on the facility. Regarding that, our corporation is now about to be in litigation regarding their actions going back over the years 1990 through 2000.

My research provided me very simple corroboration of what I anticipated were the problems and the causes of those problems, based on my experience and expertise regarding non-profit agencies and animal related organizations and Shelters across the country. My reaction to and sense of specific SCI findings follow.

**Re: Harriet Hughes:**

Harriet Hughes is a highly respected member of the Hudson County business community and her personal standing is impeccable. She has served the HCSPCA on a voluntary basis within the area of her professional experience and that is in the financial area. Harriet provided the only semblance of reason and logic to the finances of the Shelter, considering the personnel involved and the poor record keeping practices. Please note here that I found the poor personnel and record keeping practices to be a direct result

of the diminution of financial resources which results in a lower level worker being hired, persons with no particular skills for those positions. Especially in the now high level, international business market of Hudson County, the HCSPCA never even approached the ability to hire persons of those necessary skills very simply because the job market in this area is at all time high levels. Harriet oversaw the financial practices as best as was able to be done. I am still impressed at the amount of time she volunteered and at the imposition on her time at her daily work which she dedicated to the Shelter operations and staff. As is common practice these days, professionals move from corporation to corporation frequently. In Harriet's case, when she moved from bank to bank, largely because banks merged, she took with her that dedication to the Shelter, thus, accounts moved with her for the sole and commendable purpose of convenience. Had she not done this, the Shelter would have suffered even more greatly. My financial advisors and I agree that there was nothing illegal or unethical about any of her actions. In fact, she is to be commended for the number of hours which she dedicated to the Shelter.

It must also always be kept in mind that the employees of any Shelter in America are at the lowest entry-level positions and possess no skills to work otherwise. As well, their personal lifestyles are such as to create great difficulty for them in every regard. Many of these persons literally cannot cash a check anywhere. Those who can cash a check at a check cashing business do so at rates which are almost at usury levels, leaving the employee with even less money than the meager salaries they are paid. Thus, again, comporting within every aspect of legality and ethicality, any checks cashed "for" employees was, again, done so as a service to these persons with no connotation otherwise. My findings are that every action and practice of Harriet Hughes was done so

as to provide voluntary assistance to the Shelter operations and staff with no sense of self-service in any regard.

**Re: John Hughes:**

It must be noted that a social service provisional non-profit agency which is singular unto itself, as the HCSPCA, operates in intimate circles. Especially in the face of diminishing resources, it is common practice to find that those persons involved are close friends or family members. This is because of the fact that, as time has become such a precious commodity, volunteerism has gone the way of all flesh. It is almost impossible in the modern economy and times of Hudson County to develop volunteers to functionalize social service delivery. Thus, when a person is motivated to "get involved", that person often must involve personal friends and family to assist in efforts. I do not find it unusual or of any concern that John Hughes was involved with the Shelter, even to the small degree that he was. In fact, I find it consistent with such organizations. The fact that he became unemployed serves merely as an opportunity to "get him involved with the HCSPCA". For my more than three decades of involvement with non-profits, I continuously sought and still seek out persons who are unemployed or retired for assistance in my efforts. I also repeat that the HCSPCA could not even come close to being able to afford contracting with a professional finance firm for these minor services and could not even afford a professional bookkeeper for those purposes. My finding is that, in her dedication to serving the HCSPCA, Harriet saw in her husband an opportunity of time and computer abilities which would ease her burden somewhat and provide additional assistance to those efforts. The issuance of the figure of one hundred dollars per week is an extremely low figure for the services and kinds of services which Mr.

Hughes provided. If one considers the cost of operating and maintaining a computer alone, that figure is extremely reasonable for the services provided and the fact is that I find absolutely no wrongdoing of legal or ethical nature. In fact, my advisors and I find again that his contributions were commendable and provided a service which the Shelter could not otherwise afford.

A small additional note that work from home is a common practice these days in the international corporate community and suggests nothing untoward.

**Re: Edward Pulver:**

My research showed me that Edward Pulver has been involved with the HCSPCA for more than fifteen years and that he has served with no salary for that period of time. While his title is that of Board Member and also Chairman of the Board, he did, in fact, serve as de facto Executive Director. However, it must be noted that Mr. Pulver has a full time profession outside the Shelter and that his time was dedicated on a volunteer basis. However, as time and circumstances evolved in the city and county, his volunteer board membership extended more widely and broadly until he was, basically, the focus and locus of leadership and direction. And he did this in the face of the downward spiral of resources at and for the Shelter. It also should be noted here that persons who are, in fact, executive directors of non-profit agencies receive extremely high salaries in most cases. Some receive in excess of one hundred thousand dollars (\$100,000.00) per year and even smaller operations' directors receive attractive salaries and benefits, even in the face of declining resources. Mr. Pulver's professional experience does not provide any great resume of education or training in the area of non-profits and, thus, as he gradually became more responsible for more duties and functions, he applied what commonly is

referred to as "common sense and logic". While having that lack of the sophistication and training of the professional nonprofit director, Mr. Pulver did a remarkable job, if you consider that he was operating an agency which had little resourcing, an agency whose overwhelmingly largest client did not pay for more than seven years, who operated with a staff which possessed no skills and who perform some of the most difficult tasks imaginable - from cleaning up after sick and injured animals to euthanasia - , and still was able to provide services to abandoned, abused, sick, and injured animals who arrive at the Shelter in the worst conditions. My findings indicate that Mr. Pulver is, in fact, a deeply caring man whose primary, if not sole, motivation was, in fact, those animals and providing them at least some humane and dignified treatment despite overwhelming odds. A person need spend only a few days at the best of Shelters to experience the absolute frustration of this effort. It is not a routine business and cannot be operated according to standard business practices. There always is the emotional side of this business which is unlike anything other than working with similarly distressed human beings in a hospital or such setting. The difference here is that there always is the overriding sense that, despite the wonderfulness of these animals and the emotional attachments which develop upon first encounters, there always looms the threat and directive that, in a very short time, you may have to kill them. There is no other work quite like this and no frustration like trying to improve the conditions of your work while no one out there seems to be listening and who provide no resources to assist your caring efforts. Admittedly, there was a lacking of people skills and professional fundraising abilities. Even routine financial practices failed, however, because the HCSPCA doesn't provide services to well to do clients. The majority of persons who used the HCSPCA

during Mr. Pulver's tenure largely were people who never paid anything for services rendered. One must look at the number of animals which were literally tied to the fence or dropped at the door of the Shelter. Fees were stated and charged but never collected. In fact, many animals are surrendered because the owner cannot afford to keep the pet. So, the person often promises to send a "donation when I get paid" or "at the end of the week". Of course, those donations never come. Thus, in order to keep up even minimal operations, there comes a demand for many and various methods of living "hand to mouth" and such practices, while absolutely inconsistent with common financial practices or routine business standards, are necessary in order just to get from day to day because this is no ordinary business. However, while poor in practice, I found nothing that Mr. Pulver did to be of criminal or ethical violation.

The practice of taking advertisements in journals is common and, in fact, recommended practice for non-profit agencies. It is the least expensive manner of advertisement for these agencies. An ad in the local newspaper, an ad which is one eighth the size of a dinner journal ad, costs a thousand dollars, while a full 8 x 11 inch ad in that journal might cost one hundred dollars and will reach a targeted market audience larger than the newspaper. As well, there is the interagency courtesy intrinsic to that which also adds to the common good of the nonprofit sector. Basically, it is one of the recognized good practices of non-profits which the HCSPCA was able to afford. The same applies to purchasing dinner tickets to charitable functions. In the corporate world, it is highly recommended and called "networking". Again, rather than a criticized practice, this was one of the positives of the HCSPCA.

It also must be recognized that the nature and ongoing occurrences at the Shelter provide situations of such immediacy and urgency that, more than in any other business, there often are times and circumstances which demand that money be provided right then and there or else there will be dire consequences for a living creature. In the six months of my own directorship, I have encountered this many times already. Several nights ago at midnight, I received an emergency call that all of my dogs were ill with a stomach problem which required that we go out - at midnight - and get one hundred pounds of cooked rice. Forget how difficult that was, my point is that I had no neither time nor privilege to call a board meeting or to seek a voucher or requisition form for that purchase. The need of the animals demanded that I take two hundred dollars from my own pocket and buy that food and that is merely one example of what can occur. Consider that such occurred for Mr. Pulver any number of times during fifteen years and incurred in the face of lower level employees and a lacking accounting system. It is not an ordinary business.

It is common practice and is necessary to the function of any social service agency to allow for "directorial privilege" in many instances. Since most non-profit boards meet infrequently, it is almost impossible to expect an organization to function on a daily basis without such freedom or decision and action by the director, the role assumed de facto by Edward Pulver. That is the practice in the most functional and professionally operated agencies and was vital to the operation of an agency like the HCSPCA which was under-resourced, poorly personneled, and which dealt with living creatures as their functional product. Thus, any number of incidents, events, practices, or occurrences have been found by me and by my advisors to fall within that "directorial

privilege" and were done so as to address an immediate, an emergent, an urgent, or a difficult situation in the fact of those diminished resources and lower qualified personnel. Additionally, while the Board members are highly respected members of the community, the fact remains that the boards of local non-profit agencies largely are nominal boards as opposed to working boards and their primary contributions are the lending of their names to efforts. They are volunteer members and are actively engaged in their own professions and have little time to donate to hands-on activities for their particular agencies. This is common across the board and the thirty-one directors of the thirty-one social service delivery agencies of this area act in this matter as routine. Again, while not the best practice and, perhaps, not the original intents of these agencies, over time, this is what has come to be and the failure to operate at maximum bureaucratic efficiency, these directors and board members and practices should not be construed in any way as criminal, unethical, malevolent, or corrupt.

My findings regarding Edward Pulver are that of a man whose wife was a great lover of animals and who, himself, also has a great love for and dedication to animal life. He has served on a volunteer, non-salaried basis for more than fifteen years. He is a professional individual with a pressing full time position and yet who dedicated incredible amounts of time and effort to the HCSPCA, becoming, in effect, the director of operations of what, factually, was a disenfranchised not for profit social service agency, impacted by limited resources. It was, in fact, solely Mr. Pulver's love for animals which motivated and sustained his involvement. Without specific training or experience to this agenda, he was able to provide services to the animals which came to him by various means and in varied stages of illness, injury, abandonment, and homelessness, from

people who had few resources, and from a city which didn't pay for more than seven years, and yet who managed to keep the HCSPCA functional within the stated regulations, guidelines, laws, and recommendations of both the State of New Jersey Department of Health and The Jersey City Health Division. It is remarkable, in retrospect, that he was able to do so. If there is a flaw which has been uncovered in this whole investigation, that flaw is found in the Department of Health and the Health Division in their failure to update their regulations and guidelines to reconcile with a modern constituency and modern ideology. Those governmental agencies should and must rethink their recommendations, most specifically as regards the arbitrary killing of animals for "humane" reasons. A gentleman like Edward Pulver or myself is offended that governmental health professionals view killing animals as a solution to a problem when, in fact, they provide no proactive efforts to what are immensely solvable problems regarding animal life and which agencies neither do, nor look to do, any resourcing of local related agencies, such as HCSPCAs, in a sense of partnership toward those goals. It is a classic example of "blaming the victim". Even though I bring my own long and vast experience to this position, I find it is a challenging task each day. Each day brings me a more sympathetic understanding of what Edward Pulver went through and that provides me greater motivation to enhance the lives of the animals entrusted to me as memorial testimony to those who went before.

Oh yes, about those fruit baskets given at Christmas to women on the board - that is the classic example of the kind of man I find Edward Pulver to be. It is common practice for agencies to notice on special occasions the efforts of volunteers and employees. What cannot or is not provided in terms of financial reimbursement is

modified by a gift in recognition of the contribution of board members. Government, in fact, allows boards and Commissions certain "perks", such as dinner allowances, e.g. such is not criminal or unethical and is a small way of saying, "Thank You".

**Re: Frank Pulver:**

Again, Frank Pulver's presence is an example of the practice of involving friends and relatives in volunteer efforts. We find these two men, Edward and Frank Pulver, to be brothers who are very close and it is not unusual at all that Frank came to be involved with the Shelter. Frank, it also must be noted, did not bring any specific or general training to his position which was basically that of a man who spent his days at the Shelter, attempting to functionalize his brother's agenda of providing as humane Shelter for pitiful creatures as was possible under most trying circumstances. Frank's actions and practices must also be taken within this now repeatedly stated holistic context. However, it also must be noted and accepted that, as difficult as operating this Shelter is from Edward's perspective, it was even more difficult for the individual who was on site all the time and that is Frank Pulver. He had to deal with the minute-to-minute frustrations and difficulties intrinsic to Shelter operations. He had to handle coming to the Shelter each day and finding animals tied to his door or thrown over his fences. He had to accept the sick and injured animal, the animal which needed to be euthanized, or, worst of all, that perfectly healthy animal which was loving and playful and which had to be killed because that is what the State of New Jersey regulated and recommended or which the City of Jersey City ordered him to do. We found any number of "sleeper orders" from the City of Jersey City. The daily task of feeding and the arduous task of cleaning the cages of animals who follow no particular bathroom schedules compounds the emotional

side of things, especially when persons assigned to those tasks are of low personal and professional skills. It also must be noted that the HCSPCA was not a veterinary office whose clientele were persons with money to pay for their services and who were responsible owners. Frank Pulver's clients were people who called in emergency situations or who wanted to "get rid of their pets" because those owners had no resources to feed or attend to or treat medically or to euthanize their pets - so they called on the HCSPCA to take their problems from their hands and placed those problems squarely on the back of the HCSPCA. Admittedly, there were poor record keeping practices, horrible, in fact, when placed against the light of accepted normal business practices. However, when viewed against the light of almost absent resources, both human and financial, the accusation of poor record keeping takes on a whole different light.

I repeat that now, during my own tenure and in view of my aggrandized operational practices and experience, I am confronted many times daily with what was basically the whole scenario for the Shelter during the period 1980 through 2000.

Poor record keeping in any regard, animals, finances, et al, and whether in general or specific to an incident or occurrence, is directly attributable to the inability of individuals involved to keep such records in maximum efficiency levels and that inability is due to a lack of training or education in those or other regards. Remember that the lack of funding allowed only the lowest level of employee. We found that record keeping was simplistic to the basic abilities of the facility on site employees and severely lacking in many regards. Any number of individual incidences, when taken as individual, can be puzzling and disturbing. However, when taken within the holistic context, it was understood that financial and animal record keeping, with its omissions and errors, was



merely that - human failing and error. It was not criminal or unethical in happening. In fact, again, we were frankly surprised that there were as many items of information and as much paperwork existent as there is, when considering what we expected from our experience and expertise.

As well, perhaps the single most initially puzzling but eventually expiative finding is that, among all of the personal and professional shortcomings of the on site staff, is their inability to articulate that which went on. They often fall to silence when asked a question or confronted with a problem. That silence might be interpreted as tacit guilt or overt unwillingness to be honest or cooperative. However, as we developed a fuller understanding of these persons, we found that the silence or confusing verbiage is, in fact, childlike in its innocence. These persons often became frightened by discussions with or questions from persons whom they regard as authoritative and they were intimidated by those presences and by the scenario and their reaction was those of children - fear and the result was consistent with fear, so that, after I understood these people, what might be mistaken for reluctance to answer was found to be inability to articulate. What might appear as fabricated excuses were, in fact, failures to articulate. The fear on their part was not that someone would discover that they had done something wrong but rather that it would be discovered that they didn't know how to do things the right way. What might be interpreted as calculated Commission was, in fact, naive omission. That included Frank Pulver who was given the most significant tasks and the greatest authority on site and, therefore, had the greatest reactions of the nature I just described. I found the staff's greatest failure was that they do not know how to say "I do not know how".

It must be kept in mind that the facility operated on a shoestring. There was no established "petty cash" fund with attendant procedures to be followed. Thus, it was that there often came times when something had to be done or purchased which required on the spot expenditure and whatever monies were available were spent to that purpose - emergency food situations, gasoline, or whatever might require an immediate presence of money. I would expect that such spending would come from that day's receipts, perhaps, and, in the hectic routine of a day at the Shelter, that transaction might easily go unrecorded. Again, that is a less than acceptable condition but one which I would find consistent with the hard times scenario as opposed to anything miscreant.

As with so much, my advisors and I found no evidence or indication of any criminal or unethical intent or action. Certainly the circumstances were unacceptable. Otherwise, I would not have felt a need to offer my assistance. However, I state categorically that I would not involve myself with criminal or malevolent persons. My findings provide me the information as I am stating it here. Perhaps the greatest corroboration of my findings is the absolute cooperation and enthusiasm of the board members and the staff in support of my agenda and my actions thus far. I find them enthused and energized by the professional steps and the interpersonal skills now present which before were lacking. I find great confidence in their ability and willingness now to admit the shortcomings of the past, a willingness to speak to this now and which is born out of a now evident security and trust which often before was absent.

**Re: Other Specifics:**

Here is what I have found from my various perspectives to be the single greatest problem facing the HCSPCA from 1990 until today. There has been a concerted effort by many persons who purport to be "animal rights organization leaders". They have conducted a very public campaign against the Shelter. They have made allegations of all sorts, including personal attacks against the staff and board members. Over the time of these attacks, not one of those persons went into the Shelter to help address situations or resolve problems. They have not raised a single penny to assist. Meanwhile, they have raised many dollars for the expressed purpose of closing the HCSPCA down. They have waged political warfare, literally involving themselves politically for their purposes. The very same inability of Shelter personnel to articulate for the purposes of the Shelter kept them from answering these allegations. The fact is that these allegations are unfounded, ill conceived, self-serving, libelous, slanderous, and are being addressed now by litigation on the grounds of criminal libel, slander, misuse of office harassment, and malicious prosecution.

WHAT MUST BE NOTED AND ACCEPTED IS THAT, DURING THE TIME FROM 1990 TO JUNE 30, 1999, THE CITY OF JERSEY CITY GRANTED A LICENSE TO THE HCSPCA EACH YEAR, ALLOWING THE SHELTER TO OPERATE AND, BY ISSUANCE OF THOSE LICESNES, INDICATING THAT THERE WAS NOT EVIDENCE TO CLOSE THE SHELTER FROM OPERATING. This official governmental action by government and health officials makes the loudest and clearest statement to the fallacy of other charges against the Shelter. It also must be noted that these licenses were granted in the face of the onslaught of attacks from those

persons mentioned above and during a time when the State of New Jersey also took no action whatsoever to close down the facility. There always are unacceptable conditions at a Shelter to the untrained or lay eye. The very thought of an animal in a cage is abhorrent to any normal human being. However, according to all standards of the State and any Municipality, standards established within the context of the nature of a Shelter, the demands of a Shelter, the demands of a society, the frustrations of a Shelter, et al, the HCSPCA met those standards to the degree that they were always issued a license and they never were found worthy of closure of operations. That alone places all else in a totally different and enlightening context within which every observation must be evaluated.

**Re: Endowment:**

I am extremely pleased that there was no application of the endowment funds to the daily operational situations. That would be the classic example of throwing good money after bad. After all, the Shelter had provided service for years without that money and, while it might provide a little relief, the infusion of those dollars into the daily norm would soon have resulted in the depletion of those funds. It also is commendable that the HCSPCA decision makers went along with the obvious intent of the endower and that was to use that money to the best interest of the Shelter as it applied to the Shelter being able to CONTINUE in existence It must also be remembered that there was never any indication to the HCSPCA personnel that they were not operating at acceptable levels. They experienced the same daily problems as other Shelters across the country and The State and The City always allowed them official license to operate. Thus, and this alludes back to Harriet Hughes, it is commendable that they chose to do better things with

the money. The placement of monies in different accounts was viewed by THIS PROFESSIONAL BANKER as an opportunity for their money to make more money and, perhaps, ease the problems which might be forthcoming as resources from other sources continued to spiral down.

**Re: Incinerator:**

The HCSPCA has on its property a crematorium, ready for use since 1993. It would provide a service to local Veterinarians and to local pet owners, a service now available at the closest in Glen Allyn, Pa. That service would also generate enough monies to subsidize almost the entire operation of the HCSPCA and might have avoided many of the hardships over those years. However, the City of Jersey City denied the HCSPCA the right to use that facility based on purely political reasons, rising from an assistant Department of Human Resources Director personal relationship with several of those persons who were mounting that well publicized anti-Shelter onslaught.

**Re : "Deplorable Conditions":**

Any human being with any sensitivity at all is offended when he or she enters an animal Shelter. The presence of so many animals, especially considering that they are familiar animals - dogs and cats - which humans usually view in a warm, domestic setting, is a traumatic experience. As well, the presence of that number of animals naturally presents an opportunity for offensive odors which add a sensory offense to the sensible offense. There is an instinctive reaction which implies the inhumanity of people which results in these animals' presence and that adds to the horror of a Shelter. And that is under the best of circumstances in the most state of the art Shelter in the world. If you enter that Shelter at any time, you are likely to be offended. If you enter prior to the

cleaning shift, it is likely to stir you to fever pitch. Add to this intrinsic difficulty the lack of resources which impacted the HCSPCA and you have a poor setting. However, I found nothing to indicate any committed or omitted activity which created or exacerbated that situation, other than lack of resources and the resultant lagging of even the most routine duties.

In closing, I offer that I approached the HCSPCA in June of 2000. I offered my experience to help them through difficult times. I offered as a result of my various positions. I offered because of my experience. I offered in reaction to the widespread negative media publicity. What I found was a Board of Trustees which not only welcomed my assistance but named me Executive Director. I found them completely open and cooperative. I found them energized and enthusiastic about a new direction and a new kind of leadership. I found a board which approved and applauded every agenda item I proposed and implemented toward that improvement. I found them to have been a group which, prior to my arrival, acted simply as every other private agency board acts. I found absolutely no evidence of wrongdoing, malintent, malfeasance, misfeasance, criminality, unethically, immorality, or lack of humane sense in any individual or in the body as a whole. In the operational staff, I found a group of simple persons with limited skill training or experience who honestly attempted to operate what is the single most difficult non profit type of agency in a location of extraordinary change, with avalanching diminution of resources, whose largest client refused to pay for more than seven years, and who dealt with all of this in the best ways that they knew how to do that. I found much that was unacceptable in their practices, if those practices are weighed against a standard of business operated by skilled and trained professionals in a good economy

with a resourced market. However, when weighed against reality, the Shelter should be commended and its clients and attackers held responsible to their failure to provide any assistance to the lives at 480 Johnston Avenue. I found those who conceived and implemented the public media campaign to be disingenuous at best and malevolent in their every step. I found that they misused information out of context to their own heinous, personal and political agenda. Still, I found an entity and a mission worth every ounce of my experience and energy and the success of my first six months is directly attributable to the cooperation and support of the HCSPCA Board and staffers. I found that the HCSPCA, rather than being an evil perpetrator, is a well-intentioned victim.

**PART II**  
**RESPONSE ON BEHALF OF THE SHELTER:**  
**THE LEGAL PERSPECTIVE**

**A. The State Commission of Investigation (the "Commission")**

**1. Powers and Potential for Abuse**

The Commission was created and is governed by Title 52 Chapter 9M of the New Jersey Statutes. It is responsible for investigating possible wrongdoing in areas that relate to public safety, public welfare and public justice and to make reports of its findings available to the Governor and to the public. In the past, the Commission has primarily focused its investigations on entities and/or agencies that are responsible for enforcement of the laws and/or in areas of criminal racketeering.

The establishment of the Commission is not without criticism. A Review Committee on the State Commission of Investigation (the "Committee") was set up in 1982 to review the activities of the Commission and issue a report based upon their findings then, and every four years thereafter. In 1996, the Committee issued a report

that was critical of the Commission. The Committee's report stated that the Commission had "potential for abuse" and expressly stated "the committee has misgivings concerning the way in which conclusions and recommendations in some Commission reports are reached." *Report of the Review Committee on the State Commission of Investigation at p. 20.* The Committee also recommended that "...the Commission should not issue any report to the public until any person adversely mentioned has an opportunity to submit a written response." *Id.* at 2. In their report the Committee stated that "the Commission, as an investigatory rather than a prosecutorial agency, exercises this discretion and these powers outside the traditional criminal justice system and due process rights and practices embodied in that system." *Id.* at 4.

The power which the Commission wields pursuant to statute is considerable.

However, the practical effect of its report may go far beyond what the legislature envisioned.

When an individual is adversely mentioned in a Commission report, the language used and the content of the report too often make clear the SCI's conclusion that the individual is guilty of serious misconduct which in some cases constitutes a criminal offense. That is how the findings are reported in the media and perceived by the public. The fact that the Commission is not, in a technical, legal sense, an 'accusatory or adjudicatory' agency provides little comfort. The adverse mention of an individual in a Commission report is for all practical purposes an official accusation of wrongdoing. Even though an adverse mention in a hearing or a report may not initiate criminal penalties, the effect on the reputation of the person named can be extremely destructive.

*Id.* at 14.

It is hoped that this response may put the past in perspective and the future in focus and preserve the Shelter's position as an important and vital institution in Hudson County.

**B. Hudson County Society For The Prevention Of Cruelty To Animals (the "Shelter"): An Overview**

The Shelter was founded in May of 1895 by George M. McCarthy, whose sole desire was to have the Shelter serve as a non-profit haven for homeless, unwanted and/or abandoned animals. The purpose for creating a Shelter for these animals was to provide a place where the animals could be cared for and nurtured until such time as a loving home could be found into which to adopt the animal.

Since its inception the Shelter has operated strictly on a not-for-profit basis. The money to fund the Shelter's expenses comes from the citizens and communities within Hudson County by way of (1) donations which are given by the owner when an animal is surrendered to the Shelter; (2) adoptions of animals into a loving home for a nominal fee that varies depending upon the ability to pay and the animal's size and type; (3) contracts for services to local municipalities to pick up, hold and/or impound animals; (4) bequests, which on occasion, are made by generous animal lovers; and (5) interest earned from investments.

As the Shelter is a non-profit corporation, its resources are administered so as to provide a financial reserve for maintenance and operations and providing care to the animals. The people who work at the Shelter are either low skilled, low wage employees, or volunteers, whose real reward comes from saving an unwanted and/or sick animal, nursing it back to health and placing the animal into a loving home.

**1. The Shelter Board of Directors**

The Shelter is overseen by a Board of Directors, whose membership has changed from time to time over the last decade. For more than 15 years Edward Pulver has been in a leadership role on the Board of Directors. Under Mr. Pulver's leadership and

guidance, the Shelter went from being on the fringe of bankruptcy to becoming a financially stable and solvent corporation. In addition, during the period under review, 1993 through 1999, with Mr. Pulver's leadership and guidance, the Shelter found loving homes and adopted out approximately six thousand eight hundred (6,800) dogs and cats, an average of almost one thousand (1,000) per year within Hudson County. Further, during the same period, over one thousand three hundred (1,300) lost dogs and cats were reunited with their owners as a result of the efforts of the Shelter.

**a. By-Laws of the Shelter**

Pursuant to N.J.S.A. 4:22-7, the Shelter Board is not required to formally adopt any Constitution or By-Laws. Instead, the Board has used the By-Laws of the New Jersey State SPCA as a guide for internal corporate functions. The Commission's Report (the "Report") infers that since the Shelter has used the New Jersey State SPCA By-Laws as a guide, the Shelter must strictly adhere to its provisions. The New Jersey State SPCA By-Laws provide that there shall be twelve (12) members who shall serve as the Board of Directors and seven (7) members thereof shall constitute a quorum for conducting business. However, the Shelter Board is comprised of a smaller number of Directors and pursuant to statutory construction a quorum consists of at least four (4) members. See N.J.S.A. 4:22-2. Therefore, contrary to the Commissions Report, the Shelter Board did not hold any of the forty (40) meetings cited without a quorum.

The Report also criticizes the Shelter Board's decision making practices. At the Shelter, if business decisions needed to be made prior to the next scheduled Board meeting, the Treasurer, after consulting with the President, would poll two additional voting members of the Board. This procedure assured that a quorum of four (President,

Treasurer and 2 other board members) were voting in order to transact business. N.J.S.A. 15A:2-7(b) expressly permits this procedure in providing, "...any action required or permitted by this act to be taken by incorporators may be taken without a meeting." Again, the Shelter Board is in compliance with statutory regulations.

N.J.S.A. 15A:5-2 requires that a Board of Directors of a not-for-profit corporation hold, in the absence of provisions fixing a meeting time and place, an annual meeting on the first Tuesday of April. It was the New Jersey State SPCA By-Laws not the New Jersey statutes that called for monthly Board meetings. The schedule of Shelter Board meetings equally far exceeded the requirements of N.J.S.A. 15A:5-2.

**b. The Meetings of the Board of Directors and the Transaction of Business**

Even though the Shelter held regular Board meetings and referenced Treasurer's Reports in the minutes of the meetings, the Report infers that minutes of the meetings were deficient since copies were not attached to the minutes. The failure to attach financial statements and/or a prepared budget is not a violation of any statute or regulation. In fact, according to the Report, the minutes do reflect that the Treasurer's Report was read and approved by the Board at virtually every meeting. The meetings of the Board of Directors of the Shelter complied with all statutory procedural requirements.

Although highly critical of the failure to attach financial reports to the minutes of the meetings, the Report enumerated the Shelter's receipts and expenditures from 1993 through 1999, and even specifically itemized various categories including payroll, veterinary services, food expenses, Shelter fees, contract fees, donations, etc. The Commission was also able to determine in which years the Shelter operated at a loss or profit. All the financial data was available to the Board and to the Certified Public

Accountant who was continuously employed by the Shelter since 1993, and upon whom the Board relied.

The Shelter operating account required two signatures to negotiate a draft. This procedure was used to assure that two Officers authorized the payment. This procedure exceeded all legal requirements. However, since the Officers are volunteers and not always readily available, a facsimile of the Treasurer's signature was sometimes used. All payments were properly authorized pursuant to law and the procedure used complied with statutory regulations and practices that are often observed by other corporate and non-profit entities.

The Board never voted themselves a salary, medical or life insurance, or retirement package, but is nonetheless criticized for approving holiday gifts and/or bonuses to low wage employees and/or volunteers who donated their time and skills in furtherance of the Shelter's mission. There is no state statutory prohibition against such a practice. In fact, N.J.S.A. 15A:8-1 authorizes not-for-profit corporations to implement "...plans providing for payments solely in cash or property including...bonus, ...deferred compensation..." There was nothing wrong with the payments which is why the Certified Public Accountant employed by the Shelter never voiced any concern.

The Shelter employed the same Certified Public Accountant since 1993. The Certified Public Accountant provided yearly audits of the corporate finances and prepared yearly financial statements and corporate tax returns. The Shelter is permitted, within the statutory regulations, to rely upon the Reports and advice of the accountant with respect to the financial data concerning the corporation. See N.J.S.A. 15A:6-14. The Shelter justifiably relied on the accountant's knowledge and expertise.

Similarly, the Shelter is accused of inadequate reporting for tax purposes. The Certified Public Accountant was provided with unlimited access to the Shelter's books, accounts and records and prepared his final product using those records. In accordance with N.J.S.A. 15A:6-14, the Shelter is entitled to "...rely upon ...written reports...prepared by a Certified Public Accountant ..."

The Shelter is also criticized for making donations to other charitable or non-profit organizations. However, the law encourages such mutual support by and between non-profit organizations. N.J.S.A. 15A:3-3(a) provides, in relevant part:

Any corporation...may, irrespective of corporate benefit, aid, singly or in cooperation with other corporate entities and with natural persons, in the creation or maintenance of institutions or organizations engaged in activities for the purpose of which a corporation may be organized under this act; including institutions or organizations engaged in community fund, hospital, charitable, philanthropic, educational, scientific or benevolent activities or patriotic or civic activities conducive to the betterment of social and economic conditions. The trustees may appropriate, spend or contribute for the purposes reasonable sums as they may determine.

This Statute does not limit what organizations may receive contributions from a not-for-profit corporation, and the donations made to philanthropic organizations such as that which sponsors medical advancements in cancer research were proper. There is a real and very concrete benefit in organizations mutually supporting the goals of the non-profit sector.

The Treasurer at times moved accounts among several different banking institutions during the period under review. The Treasurer was not compensated for any of the tireless services she provided to the Shelter. She was regularly employed as a bank's branch manager and often was moved from branch to branch due to mergers and/or buyouts. The transferring of accounts over the various years was a convenience to

her and enabled her to maintain most of the accounts at the bank where she was employed, which also had the additional benefit of allowing low wage Shelter employees to more easily cash their paychecks, which can, at times, be a hardship.

In October of 1993, the Shelter approved the hiring of the Treasurer's husband as a part-time bookkeeper to assist the Treasurer with her responsibilities. He was paid a salary of \$100.00 per week<sup>1</sup> and was responsible for entering data into a computer program. This task did not require accounting experience.

Clearly, the Report's criticisms of the Board of Directors are based upon subjective interpretations and impressions systematically grouped and phrased in the hope that the reader may infer wrongdoing or worse. The real world of non-profit organizations like the Shelter and its volunteers is not so sinister and malevolent as depicted. The criticisms of the financial management of the Shelter are belied by the unchallenged summary of the growth of the Shelter's assets during the administration of these very same officers and directors.

## **2. The Record Keeping System and Collection of Fees**

Several subpoenas were served upon the Shelter requesting extensive documentation. The sheer volume of the documents in the Shelter's possession, coupled with the disorganized state in which they were maintained, posed a monumental task in identifying and producing the documents. In response to those subpoenas approximately twenty thousand (20,000) documents were provided. The Shelter relied primarily upon unskilled employees and volunteers to perform the day-to-day operations which included the completion of forms and records. For instance, when a form was completed by an employee, it was simply deposited into a file drawer. When the file drawer filled to

<sup>1</sup> The part-time bookkeeper's salary was increased to \$105.00 per week in April of 1999.

capacity, older documents were emptied into boxes or other receptacles and put into storage. This system, previously employed by the Shelter, did not lend itself to a thorough and orderly manner of record keeping.

Each time an animal arrived at or departed from the Shelter one of three forms was completed: a surrender form, a disposition form or an adoption form. Surrender forms were used for animals that arrived at the Shelter because the owner could no longer care for the animal and wanted to have the animal adopted into a new home. Disposition forms were completed primarily when animals were received from the various local municipal animal control officers and/or police, as well as for the surrenders of strays or abandoned dogs found by the public at large. Adoption forms were completed to reflect an animal's placement into a new home.

The Shelter suggested to its patrons that an adoption a fee of \$35.00 to \$100.00 be paid for a dog, and \$10.00 to \$15.00 for a cat. This amount varied based upon the financial ability of the person adopting or reclaiming the animal, the size of the animal, and the type of animal. The same is also true with respect to the surrender and disposition forms. Specific set fees were not charged or collected on a routine basis. The fee schedule was suggested, not mandatory, and fees were often significantly reduced or waived to assist a person in adopting, surrendering or disposing of an animal.

The Shelter derived a significant amount of income from donations received in connection with the adoptions, surrenders or dispositions of animals. The Report details an erroneous pattern for the collection of these fees. It assumes two rebuttable presumptions to be true: (1) that the amount of fees suggested to be charged were in fact

received<sup>2</sup>; and (2) that the people interviewed by the Commission had no motive to distort the truth.

The Report has incorporated unreliable information from people who, in fact, had a motive to distort the facts. Many of the allegations contained in the Report had previously been made by members of the numerous rival animal leagues who were constantly attacking the Shelter and its personnel over the last decade in hopes of establishing their own Shelter. For example, the Report, in attempting to describe how fees are collected under the disposition forms states that, "One group of individuals contacted the [HC]SPCA to have their pets picked up...they paid [fifty-five dollars] \$55 in cash to one of the men and received a receipt, which was a copy of the Disposition form..." Interestingly enough, the Report practically mirrors an affidavit prepared in 1993, by a member of one of the competing animal leagues, describing "her" version of how an animal was picked up by the Shelter. The affidavit reads "I had a stray dog that needed to be picked up...they told me it would cost me [fifty-five dollars] \$55 in cash...He handed me a receipt...which looked to me like a carbon copy..." The Report relies heavily upon self-serving statements made by individuals who were, at all times, advancing their own agendas.

The standard forms used for adoptions and surrenders had a specific area for recording the fee received. The disposition forms did not. The employees responsible for completing these various forms simply filled in the blank. Since disposition forms had no space for designating the amount of money which was to be collected, none was

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<sup>2</sup> A 1993 letter from a member of one of the rival animal leagues to the Jersey City Department of Health pointed out that fees were not standard and appeared to be based on a person's affluence, thus supporting the Shelter's position that a customer's financial abilities were often determinative of the fee charged.



recited. More often than not, fees were significantly reduced or waived by Shelter personnel based upon ability to pay or the fact that the animal was a stray.

The Report contains accusations regarding the collection of fees yet fails to state the clear picture. Donations, which included disposition fees were collected and recorded each year from 1993 through 1999 in the respective amounts of \$5,906.47, \$5,743.28, \$4,675.48, \$2,912.13, \$2,453.17, \$4,753.11, \$4,596.53. These amounts totaled \$31,040.17 for the seven year period under review.

The Shelter, during this time was responsible for adopting out and saving the lives of more than six thousand eight hundred (6,800) dogs and cats. Instead of commending the Shelter for its diligent efforts to locate homes for these animals, the Shelter's procedures are criticized.

The Shelter, now known as the "Assisi Center", was regulated by the State and local Boards of Health. A certificate of inspection and license to operate the Shelter were required annually. The Shelter received a satisfactory rating in each of the seven years under review. A renewal license was issued every year. The Shelter was never denied a license to operate and never had its license suspended or revoked by any Board of Health.

### **3. The Litigation against the City of Jersey City**

In addition to receiving animals from the public at large, the Shelter provided services to the local communities for the care and housing of stray and abandoned animals and/or the disposal of dead animals. The Shelter had a contractual relationship to provide such services with six municipalities.

The City of Jersey City was one of these contracting municipalities. Jersey City was also the municipality which most frequently requested the services of the Shelter. It is unconscionable that the city refused to pay the fees owed to the Shelter for a period of seven years, and the Shelter was forced to file a legal complaint in Superior Court for unpaid fees and damages. Those fees and damages amounted to over four hundred thousand dollars (\$400,000.00).

As part of that legal proceeding, sworn testimony of Joseph Frank, the Supervisor of the Jersey City Animal Control Department was taken on September 17, 1998. This was the city representative who was directly responsible for overseeing the Shelter operation and who interacted with the Shelter on almost a daily basis.

The following testimony was given:

Q: And the way the animals are handled and processed through the [HC]SPCA offices now is the same way they were processed and handled and dealt with at the [HC]SPCA offices in 1990, '91, '92, '93, '94, '95, '96, '97, and today, isn't that right? [Emphasis Added.]

A: Yes, yes.

Q: Nothing has changed, right?

A: Not that I recall.

Q: And you've been satisfied with the services that the [HC]SPCA has rendered to the City in all those years. Isn't that right?

A: Yes.

The Supervisor also testified that the animals at the Shelter are well cared for and that the Shelter met his needs as the Animal Control Officer. The Supervisor had, in fact, recommended to the City that the City pay the Shelter the total that was due since the Shelter has done its job over the years. However, the City still refused to pay what was owed. The city's refusal was heralded by the competing animal leagues.

Clearly, based upon the above testimony of the Supervisor, who was also responsible for inspecting the operations at the Shelter, the Shelter complied with all local

and state regulations. The Report, while trying to portray the conditions of the Shelter as deplorable provides "The Jersey City Division of Health conducted four inspections – in 1993, 1997, 1998 and 1999 – and rated the facility as satisfactory each time."

Ultimately, the Court found that the City was liable to the Shelter for services provided through the years. The lawsuit was settled for three hundred thousand dollars (\$300,000.00). However, since the settlement of the lawsuit, The City of Jersey City has once again refused to pay for the services it requests and utilizes. This refusal to pay is particularly egregious since the City charges a license fee for each dog adopted from the Shelter by one of its residents. The City continues to receive income derived from the very same services for which it refuses to pay. A review of the records maintained by the Shelter reflects that during the period 1993 through 1999, almost nine thousand (9,000) live animals were taken in by the Shelter from Animal Control Officers and/or Police Officers from Jersey City. Many of these animals were injured or sick, nursed back to health and adopted out.

#### **4. Veterinary Care**

Pursuant to N.J.A.C. 8:23A-19(a) a Veterinarian was required to supervise programs of disease control and adequate health care at the Shelter. The Shelter retained the services of a licensed Veterinarian for each year of the period under review.

The contract with the Veterinarian provided that the Shelter would cooperate with the Veterinarian; provide access to the Veterinarian and/or his/her assigned representative during operating hours or by appointment when the Shelter is closed for business; the Veterinarian agreed to provide written reports following each visit as to the health of the animals; and the Veterinarian would order all medical supplies and medicine for use at

the Shelter. The Veterinarian had unlimited access to the Shelter and the full cooperation of the staff.

The Shelter contracted with Dr. Hasan Syed to oversee the medical care of the facility for many years. Dr. Syed visited the Shelter on a weekly basis and also treated the animals at his clinic when necessary. Dr. Syed offered the following sworn testimony in Court on July 24, 2000:

Q...Are you a licensed Veterinarian?

A...Yes, sir.

Q...Are you licensed in the State of New Jersey.

A...Yes, sir.

Q...Are you currently employed by the ASPCA?

A...Yes

Q...And for the record, how long have you been employed there?

A...From '96.

Q...But it's your testimony that you normally go there once a week?

A...Right.

Q...How many hours?

A...One or two hours.

Q...For the whole week or?

A...For the whole week.

Q...Okay. What do you normally do when you go there for that time?

A...Normally I inspect the premises. I inspect the ground. I inspect any – if there are any sick animals, and I take care of them. And observe the general condition of the animals.

Q...Doctor, do you have a current disease control program at the facility?

A... Yes, I do.

Q...What does that entail?

A...That entails vaccination of the animals, taking care of the external and internal parasites, and keeping the – maintaining the hygiene of the animals, hygiene of the premises.

Q...You're the contracting Veterinarian, so you supervise the facility. Isn't that right?

A...That's right.

#### **a. Euthanasia Process**

Unfortunately, there are instances when euthanasia must occur. Destroying unwanted animals, many of which are in good health and would make good pets, is

abhorred by the Shelter, other Humane Societies and many of the public officials in charge of animal control programs. However, as long as the owners permit their animals to breed more and more unwanted litters, euthanasia remains a necessary evil.

Euthanasia is argued by The Humane Society of the United States to be perhaps the most important activity at a shelter since the very least that can be done for unwanted animals is to put them to death gently and painlessly without causing them fear or stress.

Euthanasia is not a pretty picture and is not for the faint hearted. A narrative from The Humane Society of the United States describes the most often used method of euthanasia as follows:

While an assistant holds the animal while speaking gently to it, the needle is inserted between the fourth and fifth ribs where the heartbeat is the strongest. At times it is necessary to have the assistant firmly pat the opposite side of the rib cage during the insertion of the needle to distract the animal, although most animals will have no reaction to the needle. The needle is in the heart when the syringe begins to move with each pulsation of the heart. The syringe is then withdrawn slightly and, if blood flows back into the syringe, the needle is in the heart. The appropriate dosage is injected for the animal's body weight, and the dosage is always over estimated rather than under estimated. The animal becomes unconscious almost immediately. If unconsciousness is not immediate, the staff continues to pet or hold the animal and speak to it soothingly.

The euthanasia process does not, unfortunately, always result in immediate death and is abhorrent to ones sensibilities. The process does not follow a script. There are always problems or complications that arise. The Shelter has always attempted to fulfill its responsibilities in as humane a way as possible doing a job for which no one would volunteer.

In the final analysis, the Department of Health was required to inspect the Shelter annually and issue a renewal license upon a satisfactory inspection. Each year the Shelter

received a satisfactory inspection and the Shelter's license was never suspended nor revoked. The Shelter even cooperated with the investigation by allowing the Commission to tour the entire premises. Additionally, the President and Treasurer spoke candidly with the Commission.

### CONCLUSION

This submission is intended to respond to the findings of the Report and identify the critical and constructive role the Shelter played in the changing socio-economic community of Hudson County. The Shelter operation relied upon a number of necessarily homogeneous forces to accomplish its task.

The Shelter was staffed by volunteers who oversaw the operation. These volunteers had busy careers but shared their love of animals and a desire to give something back to the community in which they lived and worked.

The Shelter relied upon State and Local officials to inspect and license the Shelter year to year by evaluating it in an unbiased and non-reactive manner.

The Shelter relied upon relatively unskilled employees who were necessarily given the responsibility of dealing with an almost organic work environment which changed instantly, depending on the number and nature of the animals.

The Shelter relied upon prompt payment from the municipalities for which it provided services. There is no feasible way to replace the money that had been wrongly denied to the Shelter by the City of Jersey City. This flow of income is necessary for the very life of the Shelter.

The Shelter relied upon good community relations since the attention and the available resources of the Shelter had to be directed towards caring for thousands of animals, using volunteers and relatively unskilled employees in an aging physical facility.

These elements all had to work together in order for the Shelter to function in a community and at a level unforeseen by its founders over one hundred (100) years ago. However, there were instances where one or more of these necessary elements faltered.

The non-payment of fees by the City of Jersey City was perhaps the most critical, and therefore, when it stopped, the most damaging element to the life of the Shelter. Once the income was restricted, not as many personnel could be hired; volunteers had to do more; the aging physical facility could not be as aggressively addressed; rival animal leagues in the community saw this time as an opportunity and were able to use political pressure to seek their own agenda of establishing their own Shelter.

In spite of the confluence of these challenges, the Shelter continued to operate efficiently, legally and in compliance with all regulations. The "Assisi Center" has now turned the corner on the future by offering enhanced services to the community. The Center has also enlisted the aid of new techniques, new volunteers, more highly trained employees and has adopted a "no-kill" policy.

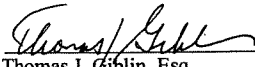
"The Assisi Center is a life center which is dedicated completely to the health, safety, dignity, and prevention of abuse to all living creatures, especially the dogs and cats of Jersey City and Hudson County. We have committed to our mission in that we do not arbitrarily kill animals because of their breed or their age. We also do not kill animals because they have been left with us for seven days or because someone may regard that animal an unadoptable...

The Assisi Center is not your father's SPCA. We are an agency of the millennium, dedicated to the dignity of the life of every creature on earth".

Tom Hart, Jersey Journal, November 17, 2000

The Assisi Center points to an even brighter future for the communities, the people and animals of Hudson County.

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Dated: February 20, 2001