

Other stores no longer selling puppy mill dogs, due to protests by CAPS, include Elaine's Pet Depot, Elite Animals and Pets of Wilshire. Elaine's Pet Depot, part of a chain in the U.S. and Canada, offers rescue animals for adoption. On the basis of our efforts against Elaine's, the entire Pet Depot chain no longer sells dogs or cats.

Protests

Barkworks, Los Angeles area. CAPS sponsors protests inside shopping malls against Barkworks, the largest chain in the Los Angeles area. The first protest, inside Westside Pavilion, was a milestone for the California animal protection movement, since pet shops selling puppy mill dogs inside malls had generally been immune to the increasing public outcry over the puppy mill issue. The state constitution, more expansive than the federal version, assures our rights to protest inside a mall – a de facto public forum under California case law.

I Heart Puppies, Corona del Mar (Newport Beach), California. On August 7, 2011, more than 150 people (probably the largest pet shop protest ever!) participated in a CAPS-sponsored protest of I Heart Puppies, a new store. I Heart Puppies used an illegal broker who bought from Barb Crick, a USDA-licensed breeder in Nebraska, and other puppy mills. CAPS investigations of Crick uncovered filth, inadequate shelter, sick dogs and other serious violations. I Heart Puppies went out of business in late February 2012.

Happiness is Pets, Chicago area. CAPS holds regular protests at two Happiness is Pets locations. At the end of 2011, this chain of five stores was selling puppies with distemper, a highly contagious but preventable virus. CAPS is assisting a Chicago law firm with a lawsuit against Happiness is Pets on behalf of consumers who purchased sick and dying puppies.

Pups & Pets, San Diego area. CAPS holds weekly protests at Pups & Pets in Santee, Calif. Our previous target, Pet Works in La Mesa, closed for good in December 2010 due to months of CAPS protests.



CAPS led landmark protests inside the Westside Pavilion Mall in Los Angeles where a targeted pet shop is located.

How You Can Help

- Write your senators and representatives and ask them to put pressure on USDA to implement and enforce the changes recommended in the OIG report; go to house.gov and senate.gov
- Distribute this brochure and fact sheets, which are all available under the Outreach section of our website.
- Contact us about how to get an ordinance passed in your town that bans the sale of pet shop puppies and kittens.
- Ask local and national media to do stories on pet shops and commercial dog breeding and brokering facilities.
- If you currently work for a pet shop or puppy mill and would like to provide information about conditions, contact CAPS. All information is confidential.
- Adopt a companion animal. Every year, animal shelters destroy millions of dogs – including purebreds and puppies – and cats. PLEASE adopt a companion animal from your local shelter, humane society, rescue organization (some specialize in a particular breed) or veterinarian. In addition, many pet supply stores, such as PetSmart® and PETCO, sponsor adoption days.

- You can also find animals to adopt at petfinder.com and adoptapet.com

Join CAPS

CAPS is a national nonprofit 501(c)(3) organization. Founded in 1992, CAPS is funded by member donations and foundation grants. There are only a few foundations that provide grants for animal protection work, and funds are very limited.

You can sign-up and donate at our web site. You can also call or write us for membership information. Basic membership is \$20 a year, although we gladly welcome tax-deductible donations of any amount.

CAPS needs your support to continue its extremely important work. **Please help ensure that CAPS is there for companion animals – particularly those dogs suffering in pet shops and puppy mills – by giving as generous a donation as possible. Your help is vital.**



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759 CJC Hwy. #332
Cohasset, MA 02025
Phone: 339-309-0272
Email: caps@caps-web.org
Website: www.caps-web.org



Founded by President Deborah Howard in 1992, the Companion Animal Protection Society (CAPS) is the only national nonprofit organization dedicated exclusively to protecting companion animals from cruelty in pet shops and puppy mills. CAPS actively addresses the abuse and suffering of pet shop and puppy mill dogs through investigations, education, media relations, legislative involvement, puppy mill dog rescues, consumer assistance and pet industry employee relations.

CAPS defines a puppy mill as a “commercial breeding facility that mass-produces puppies for resale through pet shops, the Internet or individuals.”



Two-tier cages with soiled trays at a USDA-licensed facility in Iowa.



USDA-licensed facility in Iowa. The dogs on the left are crammed into a pen. An Akita and English Springer Spaniel are pushing through rusty metal fencing with sharp points.

How CAPS Began

In 1989, CAPS president Deborah Howard was stunned by the cramped, unsanitary conditions at a Docktor Pet Center. She joined forces with Robert Baker, then the foremost puppy mill investigator in the country. They generated two "20/20" exposés and articles in *People* and *LIFE* magazines showing the horrors of pet shops and puppy mills.

As a result of their efforts, Docktor Pet Centers, who refused to do business without the sale of puppies, filed for Chapter 7 bankruptcy in February 1993. CAPS became a 501(c)(3) in 1992.

Consumer Education through Media

To raise awareness about the horrors of the pet shops and puppy mills, CAPS has generated stories with the following media: CNN, "Dateline," "20/20," "Hard Copy," *Reader's Digest*, *LIFE*, *People*, *Detroit Free Press*, *The Philadelphia Inquirer* and numerous local television news stations and newspapers.

USDA Oversight: CAPS is Watchdog

The Companion Animal Protection Society is celebrating a major victory – one we have been working toward for many years!

Since 1995, CAPS has visited approximately 1,000 puppy mills, most of them USDA licensed. Our investigations revealed that the USDA has been extremely negligent in its enforcement of Animal Welfare Act (AWA) regulations that pertain to commercial dog and cat breeders and brokers who sell to the pet shop industry.

In late May 2010, the Office of Inspector General (OIG) for USDA released a scathing 69-page report of an audit and investigation conducted between 2006 and 2008. This audit and investigation was prompted by a meeting that CAPS and Crowell & Moring attorneys had with OIG officials in May 2006. The complete OIG report is available on our website.

We hope, in large part owing to our efforts, that USDA's APHIS/Animal Care program will put into place significant changes with respect to enforcement of the Animal Welfare Act.

CAPS will continue to share its investigation findings with USDA and work with the agency on implementing the OIG recommendations.



Overcrowding, worn wood and rusty wire at a USDA-licensed facility in Minnesota.

Investigations: CAPS' Dedicated Efforts Responsible for Demise of Notorious Broker

USDA permanently revoked the broker's license of Kathy Bauck, the owner and operator of Pick of the Litter in Minnesota, on September 14, 2011 based on evidence CAPS supplied to USDA. The agreement – known as a consent decision – also imposed a fine and permanently disqualified Bauck from obtaining an Animal Welfare Act

license. This decision effectively prevents her from engaging in the commercial production and resale of dogs to pet shops and Internet sellers. Members of her family, involved in her ventures, were also fined and permanently disqualified from USDA licensing.

In 1997, CAPS began investigating Kathy Bauck, one of the largest USDA-licensed dog brokers and breeders in the U.S and seller of thousands of dogs to pet shops and Internet buyers across the country. A CAPS undercover investigation video shot in the spring of 2008 showed sick, wounded, emaciated and dying dogs.

Based on evidence collected by CAPS, a jury convicted Bauck in March 2009 of four misdemeanor counts of animal cruelty and torture. The judge sentenced her on only one count: she received a 90-day sentence, reduced to 20 days of work release; a \$500 fine, reduced from \$1,000; 80 hours of community service; and one year of probation.

In August 2009, the USDA/APHIS filed a Motion for Summary Judgment requesting the termination of Bauck's license. CAPS believes this judgment was due in part to our petition for rulemaking mandating automatic termination of license upon an animal cruelty conviction. After a number of administrative and legal proceedings, the USDA officially terminated Bauck's license in June 2010, effective two months later.

Despite Bauck's conviction and license termination, CAPS received complaints in 2010 and 2011 about sick puppies purchased at Long Island pet shops. Interstate health certificates confirmed that Bauck, using her maiden name and a business name, sold nearly 1,400 dogs to Long Island pet shops after her license termination. Some of these certificates listed a fabricated pet shop in New York City – Canine Culture Center – as a consignee. CAPS undercover investigations of these pet shops revealed stores that refused to disclose the source of their puppies (in violation of the New York pet shop lemon law) or provided

limited information after receiving a deposit. CAPS turned all of this evidence over to USDA's Office of General Counsel, which then filed a complaint in December 2010.



Dead mother Cocker Spaniel in whelping box at the Bauck facility in Minnesota.

Pet Shop Campaigns

Ordinances

Our West Hollywood, Calif. ordinance banning the sale of pet shop puppies and kittens received worldwide media coverage and was the genesis for the now growing ordinance movement in both this country and Canada. There are ordinances banning the sale of pet shop puppies and kittens in California, Florida, New Mexico and Canada. We assisted with the by-law in Richmond, British Columbia, which was the inspiration for the recently passed by-law in Toronto.

Humane Stores

Aquarium & Pet Center in Santa Monica, Calif. signed a legal agreement to convert to a humane business model after three CAPS protests. In late October 2009, this pet store, in business for more than 20 years, decided to stop selling puppies from mills and, instead, offer rescue animals. The store recently began selling puppy mill dogs in violation of the agreement. CAPS plans to investigate some of the breeders, hold protests and propose an ordinance to the Santa Monica City Council.