



The Nuts & Bolts of Implementing a Community-wide TNR Program

***based on a lecture by Bryan Kortis, Executive Director, Neighborhood
Cats***

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Neighborhood Cats
2565 Broadway, No. 555, NY, NY 10025
headcat@neighborhoodcats.org / (212)662-5761
www.neighborhoodcats.org

LECTURE OUTLINE

The Nuts & Bolts of Implementing a Community-wide TNR Program

I. Goals

- A. Primary goal is the long-term reduction and humane treatment of local feral and stray cat populations
- B. Secondary goals:
 - 1. Maximize community involvement - caretakers, veterinarians, animal welfare organizations, funding sources
 - 2. Ensure the longevity of the TNR program and protect its gains
 - 3. Create a working model for other communities.

II. Legal Environment

- A. **Step one:** Determine local laws:
 - 1. Are there any hostile laws or agency regulations?
 - 2. Are there no laws covering the subject? If not, are there hostile policies by local agencies?
- B. **Step two:** Assess potential impact of local laws on encouraging or discouraging caretaker participation in TNR program
- C. **Step three:** Assess the support or opposition of key government officials and agencies, such as animal control, the Dept. of Health, the mayor, etc.
- D. **Step four:**
 - 1. If the legal environment is hostile to the point of being an obstacle, work towards creating a favorable legal climate for your program. Obtain an official pronouncement of support.
 - 2. If the climate is neutral or favorable, it's a judgment call whether to simply go ahead without official support.
 - 3. Sample ordinance (**Appendix I**)

II. Administration

- A. Liability issues – Municipal
 - 1. Addressing concerns government will be liable for harm resulting from TNR activity
- B. Avoiding Liability by the Non-profit
 - 1. Waivers from volunteers, participants (**Appendices II - V**).
 - 2. Training
 - 3. Supervision
 - 4. Written protocol

III. Scope

- A. “The 70% Rule” – to stabilize the growth of a population, at least 70 percent of fertile members must be neutered, at which point births = attrition.
 - 1. Scope of the program should be restricted to an area in which overall 70 percent figure can be attained given available resources
- B. Easiest First! (Building a Model)
 - 1. Start out with area/colony with most favorable conditions, not the least

IV. Elements of the Program

- A. Equipment – enough to allow mass trapping
- B. Training
 - 1. Live workshops (obtain Neighborhood Cats TNR Handbook and sample workshop outline)
 - 2. Online TNR course authored by Neighborhood Cats (www.suite101.com, go to Pets & Animals Dept., look for “Trap-Neuter-Return: Managing Feral Cat Colonies.”)
 - 3. Mass trapping video by Neighborhood Cats
 - 4. Put together course from Info page on Neighborhood Cats web site (www.neighborhoodcats.org/info)
- C. Holding Space
 - 1. Who provides: Public vs. private; caretaker vs. nonprofit.
- D. Spay/neuter
 - 1. Low cost clinic (fixed or mobile)
 - 2. Private veterinarian network
 - 3. Mass spay days
 - 4. Caretaker costs – should be kept to an absolute minimum.
- E. Colony registration system (**Appendix VI**)
- F. Informational role of coordinating agency
 - 1. Create a caretaker network – email list, online discussion group, meetings
 - 2. Provide advice to the public – phone line, web site, email address
 - 3. Mediate between caretakers and other residents
- G. Organize Food Drives - free food motivates caretaker participation
- H. Foster care/adoption network or partner

V. Question & Answer

Bryan Kortis
Executive Director
Animal Welfare Federation of NJ Conference
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The Nuts & Bolts of Implementing a Community-wide TNR Program

Introduction

For me, this is an exciting workshop because in New Jersey we're starting to move from the theory of TNR to the actual practice of it and that is a very important part of a movement. I wanted to impress upon the people who are here today, that if you take these lessons and carry them into your communities -- you are being pioneers. So the hour and a half we are going to spend together is an important time. You're going to be setting the standards and what I am going to try to do is present you with the issues and a model to work from which you can then adapt to your own communities.

Goals

The first thing we're going to talk about is the most obvious one -- what are the goals of your program? And maybe just to clarify, I'm talking about a community-based TNR program, not "I want do the colony in my backyard" or "I want to learn how to practice TNR," but "I want to implement this in my town, in my county, in my city."

The first thing you want to do is to define your goals. It may seem unnecessary, but it's good to write them down and have it all very clear. I would say, obviously, your primary concern is to reduce the local feral and stray cat population and to have cats that are living outside treated humanely. Now, what you need to be clear about is this means your primary goal is not how many cats can you place for adoption. That's a fine goal, but it's not the goal of a TNR program. It's not the goal to get a lot of publicity, do a big project, have it in the press and then you're well-known, but then you don't do any other projects. The ultimate goal is going to be measured by stray intake rates. Are they dropping? Are your euthanasia rates dropping? Are you saving money? Are the complaint calls coming into animal control going down? Those are your bottom-line parameters and that's what you need to keep in mind at all times. What we are talking about today is geared towards achieving these specific goals. You're going to have

times when you need to make decisions -- are my resources going to go here or are they going to go there? The decision on what to do should always be made with the primary goals in mind: Will taking this action lower our stray intake rate? Will the feral population go down? If the answer is yes, then you do it. If the answer is no, then you don't.

You should also spell out your secondary goals. These are steps you need to accomplish in order to achieve the primary goals. The number one thing is to maximize community involvement. And that means caretakers -- the people who are working on the ground with the cats -- and any other animal welfare organizations in the community, especially animal control. You want to engage funding sources. Somebody has to pay for this. But one of the main things, which we'll refer to many times today, is caretaker participation. Without that, your program's going nowhere. If you don't involve the people who are actually going to do the trapping and to take care of the cats on a day-to-day basis, you can't succeed. You have to organize your program in a way that makes them want to be a part of it.

Another secondary goal is that you want to ensure the longevity of the program. TNR shouldn't be just trap, neuter, release. It should be TNR "M" -- trap, neuter, return, monitor. If you don't have monitoring, if you don't have a long-term system in place, it's not going to work. We don't live in a vacuum and animals are constantly abandoned. In addition, even though you're going to try to trap 100%, you're not going to get 100%, so there are going to be cats reproducing out there. Because there will be new cats over time, you need a program that is going to last in order to protect the gains you've made. If you have a budget, you don't want to spend it all on the first six months. You don't want to think let's get every cat neutered and then all right, we're done. We don't have to do any more. The initial trapping of most or all of the cats is the most intense phase, but it's the beginning not the end.

The third "secondary goal" is creating a working model for other communities. Achieving this isn't going to lower your feral cat population locally, but the reason I include this is because you will be pioneers. You will be among the first to make this happen in New Jersey. There are some programs here and there, but it really hasn't picked up the kind of steam it's going to pretty soon. We all have a responsibility to recognize that what we do in our town might have a big influence, and not only in New Jersey, but all over the region. That's a good reason to make sure it works.

Legal Environment

Now let's get into the actual nuts and bolts. How do you do it? The first thing that I'll mention is something a lot of people don't think about and it's the first thing you need to think about. It's what I'm calling "the legal environment." What I mean by that is, what are the laws? What are the laws in your town that relate to feral cats? Are there any hostile laws? In my experience in New Jersey there's a lot of them. For example, a law that says there's a limit on the number of cats you can own and if you feed a cat, you own the cat. Okay, so if you have a limit law of four cats and you're feeding a feral colony of ten, you're in violation of the law. In Fort Lee, New Jersey, I came across another type of hostile law. The ordinance says you cannot feed animals outdoors. It was intended to discourage raccoons. It's under the rabies section of the Health Code, but it's being used to crack down on people feeding feral cats. In fact, somebody just got a summons for doing that. Another possible restriction is cats not being allowed to roam outdoors.

Step number one is just find these things out. You don't want to set up a program and then find out you're not allowed to feed cats outdoors. Another possibility is there are no laws on the subject. In New York City, we were fortunate that there was nothing on the books. There's not a thing about cats. When we started, we operated in kind of a legal vacuum. And that was great. There were no restrictions. Still, one of the things that pops up now and then in New York is that some Department of Health Inspector comes along, sees food left out for cats and decides it's an unsanitary condition and writes a ticket. So, you not only need to look at the laws which have been enacted, you also need to find out what are the policies of your Department of Health. Are they doing things potentially detrimental to the practice of TNR that you will need to take into account?

Once you have determined what the actual laws and policies are, then step number two is to ask -- what is the effect of these laws on caretaker participation? If you have an extreme situation where you are not allowed to feed any animal outdoors, or you are not allowed to own or feed more than two cats, then anybody already out there working with feral cats is going to be very hesitant to step forward. They know if they make themselves known, they could be issued a summons and their cats could be placed in danger. It can get very serious. I know of instances where the first summons is a light fine, but the third one is stiff and the fourth one you're in contempt of court and can go to jail. People have had to move in order to avoid this.

The third step in evaluating the legal environment is more political than legal. How does the local government feel about what you're doing? In my experience, the larger the municipality, the less they care because they have too many other things on their minds. The smaller the town, the more they care because they have fewer things to be concerned about -- but that can be either a good or bad thing. In a small town, if you have one person on the Board of Health who believes in what you're doing, that person can make it happen.

To recap, you want to know what your laws are, you want to know what the impact of these laws is on caretaker participation, and you want to determine what kind of political support or opposition do you have. Once you have evaluated those three things, then you get to step four which is deciding how should you proceed? Do you go right ahead and start putting your program together and trapping cats, or do you need to first work on changing the legal environment?

I'll give you two extreme examples. When we began in New York City: no hostile laws. The Department of Health writing tickets has been very sporadic. Basically, there was no regulation. It was a complete political and legal vacuum when it came to feral cats. So we made a decision to operate without worrying about the politics, or the government, or the laws. We decided we would put a system into place and by the time we got onto the government's radar screen, TNR would be a fait accompli. At that point, we would talk to council people, talk to animal control. By then, we would have positive results to show and so many people would be doing this that they couldn't outlaw it even if they wanted to. This strategy, to date, has worked quite effectively.

The other extreme is Fort Lee where you can't feed an animal outdoors. As soon as you put out a plate of food, you've got a summons if your neighbor complains. You can't operate -- you can't start a TNR program in that community until you've addressed the legal environment because your program could crumble in a second. Before anything else, you need to get the laws changed. You do this by appearing at town council meetings, by speaking at Board of Health meetings. Lobby the council members, send them literature. Have other organizations contact them. Suggest a pilot program and a temporary waiver of the legal restrictions. You must create a favorable legal climate before you even get to the question of how do we put the program together.

In your materials there's an ordinance regulating TNR that has been enacted in Hamilton County, Indiana [*Appendix I*]. It creates what I think is a reasonable regulatory structure. The caretakers need to register their colonies so there is some database that the government can use to keep track of how many cats there are, who is taking care of them, who has gotten rabies vaccines. Usually the rabies vaccine is a big selling point. It's often very persuasive to public officials when you are trying to convince them to do a TNR program that if you don't do this, then you have a lot of unvaccinated cats running around. If you do allow TNR, then you will get the cats rabies vaccinated and that's a big deal for public health. There's another question that will always come up -- "How are you going to catch them again when their vaccination runs out?" And I say, "Well, you're right, so let's not vaccinate them at all." Right? Better once than not at all. Notice that the Hamilton County ordinance is written so that vaccinations are required for cats "that can be captured." It's important to have this qualification in there because otherwise, you will never meet the requirements.

My recommendation is if you can do without an ordinance or any kind of government regulation, you are better off without it. You are better off having these practices mentioned in the ordinance as policies of the non-profit that is running the program. The less you get the government involved, the less politics, the better. But often it's persuasive. It is what will make the difference. When you say to them, hey, you know, people are going to do this, anyway. They are doing it, anyway, so this is your chance to regulate it. And then you say, and here is an example of how to do it, that is often the clincher that will get you the official approval you need.

Administration & Liability

The next topic to consider is how you run your program in a way that you don't have to worry about being put out of business the first time someone gets scratched. You may notice -- these are not the dramatic issues. These aren't like, how do you use a drop trap and how do you catch that last cat? It's real mundane stuff, but if you don't take it into account, your program is not going to work. You have to have a structure to work within. That is why knowing the legal environment is so important and why you have to take potential liability into account before you go out and buy traps.

Sometimes the question comes up whether the municipality will be liable for any injury attributable to a TNR program if they change their laws to allow one to proceed. A favorite question of mine is when a council member asks, “What if we let you release a feral cat, and then a feral cat runs over to a fence at a playground and there’s a child there and the cat scratches the child, and we get sued?” How do you respond to that? Most likely, you don’t really know the answer unless you’re an experienced municipal lawyer, yet you need to address this concern because it might be the difference between approval or rejection of your program. Here are some suggestions:

First, point out that feral cats are wary of people, especially strangers, and run from them, not to them. Random attacks on children are not going to happen. Second, point out the same cat is already out there prior to any TNR program, so by neutering and releasing, you’re not going to be increasing any perceived risk. In fact, because the cat will be vaccinated against rabies, the consequences of a bite or scratch will be considerably less significant. Finally, mention that potential municipal liability may hinge on how active a role the township plays in the actual TNR process. It is one thing if it is their own employee or agent, such as the animal control officer, who is doing the trapping and releasing. In that case, liability to the town for the injured child may be more plausible than if the town did not play an active role, but simply allowed your non-profit to practice TNR. Then point out this is a matter for the town attorney to address and you are willing to work with them and structure your program in a way that minimizes their exposure.

So far we’ve been talking about liability for the government. I also want to address liability for the non-profit running the TNR program. Usually in our work the issue never comes up. I think that’s because we work in a very compassionate community and the first thing on people’s minds is not like, oh, something bad happened to me -- who am I going to sue? The problem is that, as with Neighborhood Cats, we are relatively small organizations and a major lawsuit is probably never going to happen, but if happens once, it could wipe out your program. You don’t want to go nuts about protecting yourself, but you do want to take a minimum number of steps. What I have included in the packet right after the ordinances are sample waivers that we use at Neighborhood Cats [*Appendices II - V*]. I am not holding these up and saying if somebody signs one of these waivers, you won’t be successfully sued. In fact, what I am about to explain is that is not the case at all. A waiver is necessary, but not sufficient. But, better to

have a waiver than not. Better to have some proof that somebody acknowledged the risks and acknowledged you wouldn't help them unless they signed this. It is going to help you later if it ever does come up.

The first waiver is what I call "Trap-Neuter-Return Project Participant." At the bottom here it says basically, "I understand the involvement of your organization is contingent upon this waiver." In other words, I know you are not going to help me unless I agree to waive liability. This part which talks about feral cats being dangerous and unpredictable is purposely written in large bold letters, so the participant is clearly acknowledging that there is a risk. And, it's true. There is a risk. If somebody does something really dumb with a feral cat, and it happens, and they try to grab them -- yeah, you would think it wouldn't happen, but it does. I have personally been guilty of that kind of stupidity, but I couldn't sue myself because I didn't have any money. So, get this waiver signed. People are not even going to read it. They are going to sign it. It's not really a big deal for people. I would use it for volunteers and there's another sample one here for that. I would use a waiver for anybody who's coming in and going to be working hands-on with the cats. You could also reword it so that it's valid for a year. Legally, you are better off if they sign every single time they do something, but that gets a little ridiculous. It turns people off if you drown them in paperwork. Maybe make it for three months or six months or a year.

The next waiver is for property owners and institutions and there again it's basically saying if something bad happens on our grounds because of this project, they can't come after you. And the last waiver is for teaching workshops. When you instruct, you're subjecting yourself to the kind of liability where somebody says, "You told me to do it this way and I did it and I got hurt. So it's your fault." It's a weak case they have unless you taught them something really off the wall. You know, like the way to transfer a feral cat is to grab him by the nape of the neck. Well, then you deserve to be sued. You want to teach them things that are reasonable, but you want to try to get a waiver so they can't sue you for the information you have given them.

Now, the big qualification for waivers is a waiver alone is not enough. No matter how well-written it is -- it could be 10 pages long and specifically cover every possibility -- a court will throw it out because they don't like waivers. Especially in dealing with animals and any kind of potentially dangerous situation. You have to back your waiver up. You have to back it

up with training, and you have to back it up with supervision. With respect to training, at Neighborhood Cats, we tend not to work with people unless they come to one of our workshops. It's not so much to avoid liability, but more that it can be a real waste of time to work with people if they don't know steps one, two and three. And also, if they don't want to take the couple of hours out of one afternoon to learn how to do it, do we want to spend our time with them when we could be helping somebody who would participate? But, it's also a liability thing. I think if you check into the policies of your local humane society, they run into that with dog training and any kind of animal group will run into that. They almost always have volunteer workshops.

Supervision doesn't mean you have to be there at every moment watching everything they do, but you have to know what's going on. That can be problematic in a volunteer organization. I don't know why, but often volunteers have a feeling like, "Why should I have to report to you? I'm a volunteer." I still haven't figured out the connection, but that is their reasoning. Anybody working under your name, you have a potential liability for and you have a responsibility to know what they're doing. If they have some experience, if they have been to a workshop and you want to send them out to manage a TNR project hands-on -- that's fine. As long as you know that they are doing it. As long as they send you one paragraph letting you know how it went and if there were any problems. Where you could run into trouble is if that guy is out there and in six months he's done twenty-two different projects without telling you. Then one day somebody calls up and goes -- and this happens -- hey, he did this and he did that and now I'm having this problem with this cat and you don't have the vaguest idea what they're talking about because the guy never informed you of what was going on. You could get into problems for that. If you have a volunteer like that, in all seriousness, give him a couple of traps and say, you know, you are very good at working on your own, and have a good time. Start your own group.

Finally, if you want to be extra-cautious, create a written protocol for your standard practices and procedures, then hand that out to all your volunteers. That way, you can prove you have standards and no one can say they never heard of them.

Scope of the Program

In the feral cat field there is what is known as the 70% rule. It's derived from vaccination studies where they found that if you vaccinate a minimum of 70% of the population, that effectively stops the spread of the disease. They've extrapolated the formula to feral cats and stopping population growth. The idea is that when 70% of a feral population is sterilized, births equal attrition and population growth stabilizes. As you then move closer to 100% neutered, the overall population level declines at an increasingly faster rate.

Ideally, you want to get a lot closer to 100%. The closer you get to 100%, the more rapidly those indicators we were talking about will start to drop. Stray intakes, euthanasia rates. Because there is no replacement, no new supply of cats happening. Especially on the colony level you want to get to 100%. As we all know, one mom cat equals six new kittens very quickly. In my own experience, I'm a lot more comfortable at 90% fixed before I feel the situation is under control. But for the community as a whole, 70 percent is your minimum benchmark for achieving a stable feral population. This figure has a lot of implications for what you decide should be the scope of your TNR program.

You don't want to be too ambitious when you're starting out. You don't want to say, "I got a \$10,000 grant, let's start a TNR program for southern New Jersey." You need to focus your personnel, resources, funding, equipment and time on a project where you know you can easily get to 70%. That may mean that if your service area is a whole county, you start in one town. You first try to estimate how many stray and feral cats are in the town, perhaps based on how many were brought into that town's animal control in the past year. Suppose you estimate there are 300 feral cats on the loose in the municipality. To get to 70% neutered, you need to TNR 210 of them. So you've got to ask yourself: do I have enough money and resources to do 210 cats? If you do, then trying to get that town under control is a realistic goal. If you can't afford 210 cats, then you might work only in a part of town where you can get to 70% instead of taking on the whole community at once. You may decide we're going to work down in the industrial district because there is a lot of feral cats there. The point is, you don't scatter your resources. You don't do a colony downtown and a colony in the hills and a colony in the park. It's much better to keep breaking it down and hitting that 70% mark for each given area. So you start in on a colony. You don't stop working on that colony until you've got at least 70%,

preferably closer to 90%, of the cats in that colony fixed. Same with the whole neighborhood, the whole east side of town, etc.

What fails is this -- somebody picks up three cats here and four cats there and five cats there and your total numbers add up being the same as if you had trapped one whole colony. But this kind of random TNR work won't be as effective as concentrating on only one colony because you're not taking the population dynamics into account. So, always keep in mind the 70% (really the 90%) rule.

Another thing to keep in mind is you want to start with your easiest projects first. The reason for that is simple. It's more of a political thing, but it's also to give you a break. I mention this because I find people's natural tendency is to go to the worst situation first. It's like, all right, we've finally got this funding, we got town approval, let's go to that forest where we know 50 feral cats have been living for 22 years. It's an extremely difficult project. You can't find out who's feeding them, maybe they have their own food sources, they're scattered and you're working in the woods. You're setting yourself up at least to have a very long, difficult first project, but also potentially a failure. You're not keeping in mind that you're a pioneer and are creating a model. In the beginning, you might feel like it's a cop-out to go do the back of the restaurant where you can easily trap the almost friendly cats, but it isn't because you can show great success at this first project. You can show we got 100% of the cats. You can show the restaurant owner is very happy now. The community there is grateful. You've built your reputation for effectiveness and may attract more funding. Later, when you're strong enough, then you go do the tough ones.

When we first started with Neighborhood Cats, we worked on the Upper West Side of Manhattan, where at the time all of us lived. It was easy. No transportation problems. Easy to get together with everyone. We ended up focusing on that community for the next three years. Now you rarely find kittens being born and very few unneutered colonies in the entire Upper West Side. Our success there has helped with publicity and funding. But, in the beginning, I would take trips up to Harlem and see the most horrific situations. It would break my heart and the pleas for help were just as sincere there and the need was probably greater -- because the animals were in much more danger -- they're all in dangerous circumstances, but they were more dangerous there. And we had to say no. We had to say we're not ready to do this. When you're dealing with extreme poverty, that's another obstacle you have to overcome. I think at that

young point we would have burnt out on it. So pick wisely in the beginning. Realize that you have to allocate your resources and the cats are all deserving. Do what is going to work best for your program. Now at Neighborhood Cats, we're at a point where we can go into some of the more difficult areas and work successfully. Because we chose wisely where to work in the beginning.

Elements of a TNR Program

Now, let's get to the actual elements that are going to be in your program. The model I'm going to talk about is one that facilitates mass trapping, which we define as the TNR of a entire feral cat colony at once. As opposed to one or a few at a time. In terms of controlling population growth, going back to the 70% rule, you're much better off if you have 20 cats in a colony, to try to get all 20 fixed at once. It's also more efficient because you only go through the process once for a particular colony, not again and again. Another advantage is that nuisance behavior, such as odor and noise from fighting and mating, are quickly eliminated or reduced. It helps to actually see the mass trapping process, which is why we're producing an educational video on how to do a mass trapping. You can contact us to purchase a copy.

Equipment. You need enough traps to be able to catch an entire large colony. I would say start out with at least twenty if you can. The trap we recommend is made by Safeguard – model SG-36D. They cost about \$45 a piece and can be ordered from ACES at 800-338-ACES. They have two important features which you need no matter what brand of trap you buy -- a rear door and a length of 36 inches. You need these two features for the traps to double as cages after the cats are caught both before the surgery and for a couple of days after while they recover. Like we demonstrate in our video, to feed and clean inside the trap, you use two trap dividers, back to back, to section the cat off on one end while you clean up and put in food and water at the other end. This process is safer for your volunteers than transferring the cats into cages and removes the risk of escapes. The trap dividers are only about \$10 each, so get a bunch of these. The only good one is the Tru-catch Model TD-2, also available through ACES. They're really an essential part of the work. When we finally figured out the best way to use them, that's when we were able to work on a large scale quickly.

A lot of times if someone has no experience keeping cats in traps like that -- and I've run across this in animal control especially -- they tell you it's cruel. We've even had them say,

“You have to let them go after two days.” But, it’s not cruel to keep a feral cat in those conditions, not if you understand the behavior of feral cats. What is cruel is to take them and put them in a giant cage with nowhere for them to hide. The open space terrifies them. If you do keep them in a cage, you should always put a carrier in, too. You’ll see that they’ll almost always go run in the carrier and spend 90% of the time sitting in it. They prefer dark, covered, tight spaces. So, do they get bored in the traps? Yes, sure. But are they suffering? Is it cruel? No, not at all. They do quite fine for days at a time.

Training. You have a couple of options. I think your best option is a live workshop and in order to help you hold one, there are a number of resources available. You can contact us for a sample workshop outline which will be based on our TNR Handbook. Another option is to have us come to your community and hold the first workshop. Make sure you have the people there that are going to teach them in the future there. Once you see one, if you have experience with feral cats, you’ll be able to do it yourself with no problem.

We also wrote an on-line course called “Trap-Neuter-Return: Managing Feral Cat Colonies.” It’s \$24.95 and you can get to it from the home page of our website (www.neighborhoodcats.org). If you look on the left, you’ll see “Study TNR On-line \$24.95.” You can print out the course after you register and base a workshop on those materials. But our TNR Handbook will be more up-to-date and comprehensive, plus less expensive. Like I said, we also have the mass trapping video available soon. Another thing you can do is go to the Info page of our website. It’s organized to make it easy for people to understand the different steps of the TNR process. You’re free to take those pages and copy them and put together a course or handbook. There are a lot of resources available now. You don’t have to start from scratch.

Let me move on to the next element which is holding space. This is where the cats are kept during the time you’re trapping and then for recovery after surgery. We’ve used spaces like garages, basements, sheds, fenced-in backyards in warm weather under a canopy. Basically anywhere that’s warm, dry and secure. Those are the three things you need. In terms of setting up a community TNR program, what we want to talk about it is who provides the holding space? Is it the non-profit, is it the town or is it the caretaker? For a project we did in Bloomfield, we used an abandoned factory which belonged to the town. They didn’t have a problem with that. They weren’t worried somebody was going to get hurt on town property and sue them. If there is a liability issue, in regard to using town property or anyone else’s, then put that responsibility

on the caretaker. That is, use the garage of the person you're helping and you avoid all of those issues.

The ideal thing would be if you have a private shelter and they have a space you can use on a regular basis. As a practical matter we find that every project we do we have to go find a new space. The spaces are available for the length of the project but not for an indefinite period.

Spay/neuter is obviously a big part of your program. We could teach a whole workshop on the different spay/neuter options. But just to go over them quickly, you can use a low-cost clinic. In Bloomfield we used the Neuter Scooter from the People for Animals clinic. They just showed up, got the twenty cats, took them to their clinic and brought them back a couple of days later all fixed. You can't beat that! I believe the Bloomfield group we worked with was able to negotiate a discount rate for ferals. You'll have to work on that with whatever clinic or program you're working with.

If you're not fortunate enough to have that kind of clinic near you, I would encourage you not to wait for it to happen before you start your program. In New York, we didn't have easily available feral spay/neuter services until about a year and a half into our work. We had to scramble around and use private vets but meanwhile our work helped create the momentum which led to the ASPCA and the Humane Society of New York coming forward and offering the public free spay/neuter. Then that just catapulted the whole thing to another level. If we had waited for that to happen before we began practicing TNR, it might never have happened. You do what you can.

Another option is to create a network of private veterinarians. A private veterinarian network can be as simple as one vet gives you a day a month and he does ten, fifteen, twenty cats that day. And maybe you need to cover his costs or maybe not, maybe he'll donate them. But let's say you can find three veterinarians and get them to give you one day every three months. Then every month you'll have fifteen, twenty cats neutered. Depending on the size of the feral population in your community, that can be very effective. You just need someone who wants to help, and there are plenty of those people in the veterinary community, and get them on board and then you can start. Just start with whatever you can. We found veterinarians who recently opened and had no business yet and they needed the relatively small fee we could pay them. A third option for feral spay/neuter is used I know in Massachusetts and in San Diego where they do Mass Spay Days. They've gotten so sophisticated at it in San Diego that they recently

did 300 cats in a day. That group -- the Feral Cat Coalition -- has a complete guide on their website about how to put a Mass Spay Day together, from what anesthetic to use to how to organize your volunteers. Their address is www.feralcat.com. Their website is a little hard to navigate because it's one long page. Scroll down to get to the articles. What you're looking for is "Complete details for running an FCC-type clinic." It can be a very practical thing if you can get a series of veterinarians, vet techs and volunteers together one day every month or two. In Massachusetts they do about a hundred cats at a time once a month. It can make a big difference.

You need to evaluate what your resources are and what's available in your area, then decide which one of these three is best for you. The main thing to keep in mind is whatever you come up with, get started. If you only have a vet who will give you a couple of cats a week, don't wait for more, get going with that.

When you're setting up the spay/neuter component of your program, you want to keep the caretaker costs to a minimum. Even if you're thinking "We're only going to charge them \$10 a cat," you're putting a lid on the people who might otherwise go out there and do fifty or sixty, or even a hundred cats and those people are out there. If it's going to cost them \$1000 to do it they might not. As much as possible, work toward spay/neuter being free or as close as you can to that. There again, in the beginning, you can't always do what's ideal. But ultimately that should be your goal because as I say, once we had free services in New York City, that's when TNR really exploded and hundreds of people started doing it.

Colony registration. You want to have a network where you know what's going on and you can track the numbers. In the handout, there's our sample colony registration form **[Appendix VI]**. You're welcome to take this and copy it or adapt it to your own program. One of the key things at the front; it's a confidentiality clause. This ties in with who should administer your TNR program. If your community has a history of trap and kill, which you often do with animal control, people are very suspicious of giving them the location of their colonies. They're much more likely to give the information to a non-profit and if you promise to keep it confidential then it's even more likely. But do keep in mind we have an exclusion at the end of this clause that says we can use the data for statistical purposes without disclosing names and locations and things like that. You need that in writing.

Another benefit to having colony registration system is you want to be able

to return an eartipped feral who's been turned into a shelter or animal control. If you know where the cat was picked up, you can cross-reference the location to your colony registration system and track down the caretaker.

Food drives. Not a hard thing to do to organize a food drive—pick a time and place, spread a bunch of flyers around town. Nothing compares to encouraging caretaker participation than free food. It's the number one incentive. It's a caretaker's biggest need. If they're feeding twenty cats and they're on a fixed income, and you can give them a twenty-pound bag once a month. Even if that's just a small part of what they're feeding, it's a big help to them and it'll bring them out of the woodwork. What we did with Neighborhood Cats whenever we've had a large amount of food to give away is; you've got to register with us in order to get the food. In order to register, you must either have neutered your cats or have a plan in place to get it done. We charge maybe a small \$5 pick up fee just to cover our costs.

The last element is an adoption/foster care network or partner. You're going to come upon kittens that can be easily socialized and strays that are friendly. Whenever possible you want to take them off the street. The goal of TNR is not to have cats always living in parking lots; that's not where I'm coming from. I don't think that's a good thing. I think it's a necessary thing right now but the goal is to eventually have as few cats living outdoors as possible. You want to be able to pull these cats out if you can. At the same time, nothing will sink a TNR program, especially a young one, faster than taking on a lot of adoptable cats. You'll spend half of your time finding homes for ten cats. You'll end up neutering a couple of hundred cats when you could have done 400. You need to think about this ahead of time and don't wait until the kittens and friendlies start coming in to scramble and figure it out.

There's two ways to do it. The ideal way is to have an adoption partner. If you're a large enough organization then maybe you have two people just working on TNR and the rest of the organization handles the adoptables. Especially if you've got a shelter, then you send the cats there. The problem with having a partner, even if it's within your own organization, is everybody's overwhelmed; everybody's already got as many cats as they can handle. So you need to develop a foster care network in private homes. One of the things we do, and you should speak to the people who run Petfinders.com about this, is we have a remote adoption service. If somebody is doing a TNR project with us and wants to remove cats from the colony, we require them to take responsibility for fostering the cats. We will then help them through the remote

adoption. We put the photos, a blurb about the cat and their contact information up on our Petfinder page and it works. They do eventually find homes. You either require that from your caretakers or you develop your own foster care network. The big point is that you don't have your TNR people spending a lot of time on adoptions or you'll sink your program. There's no doubt about it.

Question & Answer

Q. Do you test the animals?

A. I strongly recommend that you do not test as part of your program. The number one reason is it's a waste of money. You have to ask yourself what's the goal in testing. Usually the goal is to stop the spread of disease. The amount of money you're going to spend on tests, if you would spend that money on getting more cats neutered, you would stop the spread of disease a lot faster. The percentage of FIV and FeLV positive cats in the feral population is similar to the domestic population, which combined is three to six percent. Let's say you're being charged \$10 a test and you've just tested a hundred cats; you've spent \$1000 and identified somewhere from three to six positives. You've just spent \$1000 to pick out, say, four cats. And those positive snap tests are not 100% reliable so of those four cats maybe really only three of them have the disease. So in order to pluck out three positive cats you've spent \$1000. That money could have been so much better invested in another part of your program, like getting a couple of dozen more cats neutered. Reducing the fighting and mating through neutering will stop the spread of disease faster, anyway. So we really discourage testing.

Q. Do you know of anyone who's been sued Has anyone in New York City been sued?

A. Nobody in New York City's been sued that I know of. I know this question was asked of Becky Robinson a year ago, I think at this conference, and the answer was the only lawsuits that have come because of TNR are from people whose cats got trapped and neutered. Her answer was, if you're worried about that happening, post flyers around the neighborhood or if in that's too open a way to advertise what you're doing, put a note under neighbors' doors. Some

type of notification like, “We’re trapping on these days so keep your pet inside.” That should cover you.

Q. How did you get funding to start your program?

A. I think the first foundation that helped us was Visa. Seriously, in the beginning when there was little or no funding, we made it a requirement that if a caretaker wanted our help, they had to cover the expenses. We had to make requirements that allowed us to do the work and in the beginning, if we couldn’t foot the vet bills then we couldn’t help people who couldn’t foot the vet bills. So that’s how we initially did it. Then as time went on the Best Friends Animal Society, they saw what we were doing with feral cats and could see it was going in a good direction and they taught us how to do direct mail. I would say we raise 40 percent of our budget through twice a year newsletters. You’re welcome to sign up for that. You don’t have to send us a donation but you’ll see all the materials and you could learn from that. We’d be happy to send you a template; we work on Quark. We’ll send you a template and you can use it however you want. But basically you should always be collecting names and addresses. Send out no more than three newsletters a year. People don’t like it if you overburden them with mail but you can do it two, three times a year. You get a thousand people sending you in \$20, it’s a lot of money. We’ve also been funded by PETCO, by the ASPCA. The free spay/neuter basically subsidizes a lot of our work. There are some local non-profits: there’s the Artemis Project, there’s Art for Animals, so local foundations have also been a big help. It’s a combination of direct mail and grants. Let me add this: not an insignificant percentage, I’d say even 15 to 20%, comes from completely unsolicited donations. Because this work is so new and it really offers so much promise, people just send in money.

Q. I work for animal control. How can we get people who are taking care of the cats to know we’re legitimate and get them to want to work with our new TNR program? They’re afraid that I’m going to trap the cats and kill them.

A. I would guess that there’s been some history of trap and kill in your town. So you have to understand where they’re coming from. You have to recognize that kind of a history has deep roots. One of the things we recommend is you come out with some type of official pronouncement. It could be a letter from the mayor, a proclamation by the city council but some

type of official pronouncement that trap-neuter-return is the preferred approach and we want caretakers to participate. They need to see something in writing, something official. Even if they believe you, they need to see something that's not going to not make them think, "The policy could change tomorrow."

You've got to recognize it's not going to happen all at once, getting all the caretakers on board. It's going to happen because you give some incentives like free or low cost spay/neuter or free food or legal protection for the colonies. Then you're going to have a couple of them come forward. Once word gets out that those people were treated pretty well, then more will join.

You also want to build a caretaker network. It could be an email list, a meeting once every month or two. Some type of forum where caretakers can interact with one another. First of all that will help your program because they'll do a lot of the work. But also it will create a place for the atmosphere to start changing.

I think what you're doing is great and you're not going to solve all those problems at once. You're changing an environment, you're actually changing the very image of animal control and that has an effect far beyond your own town. That's a very big task and you'll get there but it'll be through little steps. In the beginning we couldn't do all the cats in New York City. We couldn't do the toughest places, we couldn't help everybody who called but we just did what we could. And it kept building incrementally and that's the process you have to follow and be satisfied with. You might have ten problems today but maybe next month you'll only have nine. It's not going to happen all at once.

Any other questions? Well, thank you very much.

SECTION 9: FERAL CATS

1. The County may establish a fund or provide services to offset the costs of trapping, neutering, and vaccinating captured feral cats that can be returned to an appropriate, controlled, protected and registered colony site. Care givers for such colonies, whether one or several animals, may be aided by the County in providing traps for the capture of the cat, transportation to a spay/neuter facilitate and offsetting costs, to the extent that funding is available.
2. Each feral cat colony will be registered by the Care givers with the Humane Society for Hamilton County, which will serve as a clearinghouse for information on current Care givers, education for new Care givers, and assistance for persons found in violation of this ordinance.
3. Ear tipping will be used on feral cats in order to be identified as a spayed or neutered and vaccinated member of a managed colony.
4. Any person or care giver determined to be in violation of subsections (a) through (d) below, shall be issued a written warning and be allowed a period of time to come into compliance, or provide satisfactory evidence of working to achieve compliance. Failure to comply shall results in a violation of this article, which may result in the issuance of a citation. Care givers of feral cat colonies shall implement proper management and sterilization practices as follows:
 - (a.) Sterilize (spay/neuter) all adult cats that can be captured.
 - (b.) Vaccinate, as required by law, all cats that can be captured.
 - (1) Against rabies, preferably with a three-year vaccine.
 - (2) And any other infectious disease as mandated by law
 - (c.) Make every attempt to remove kittens from the colony before eight (8) weeks of age for domestication and placement.
 - (d.) Make every attempt to remove sick or injured cats from the colony for immediate veterinarian care or humane euthanasia.
 - (e.) Assure responsibility and arrangements for feeding the cat colony regularly throughout the year, including weekends, holidays and vaccinations of the feral cat care giver.
 - (f.) Ear tip all cats with a single cut preferably on the left ear.
 - (g.) Maintain proof of sterilization, vaccination, tattoo or implant and medical records for all cats. These records must be provided to the Humane Society and Law Enforcement upon request.
 - (h.) Register the feral cat colony with the Humane Society for Hamilton County.

WAIVER OF LIABILITY

Trap-Neuter-Return Project: Caretaker or Participant

I, (*print full name:*) _____ agree now and at all times in the future to waive any and all claims of liability, whether of negligence or any other cause of action, against Neighborhood Cats, Inc., its directors, officers, employees and all volunteers working under its supervision, for any of the following: any personal injury, property damage or any other type of harm, resulting from my participation in any and all activities I engage in under the supervision of Neighborhood Cats, Inc., its directors, officers, employees and volunteers. These activities include, but are not limited to, the trapping, handling, caretaking and transporting of feral cats, and the handling or use of equipment related to trapping, handling, caretaking and transporting of feral cats.

I understand that the involvement and participation of Neighborhood Cats, Inc., its directors, officers, employees and volunteers under its supervision, is contingent upon my agreeing to this waiver.

IN SIGNING THIS WAIVER, I ACKNOWLEDGE THAT FERAL CATS ARE WILD ANIMALS, CAN BE UNPREDICTABLE IN THEIR BEHAVIOR AND ARE CAPABLE OF INFLECTING SERIOUS BODILY INJURY, AND I WILLINGLY ASSUME THIS RISK.

Signature

Date

Name (please print)

WAIVER OF LIABILITY
Trap-Neuter-Return Project: Volunteer

I, (insert full name:) _____ agree now and at all times in the future to waive any and all claims of liability, whether of negligence or any other cause of action, against Neighborhood Cats, Inc., its directors, officers, employees and all volunteers working under its supervision, for any of the following: any personal injury, property damage or any other type of harm, resulting from my participation as a volunteer in any activities I engage in under the supervision of Neighborhood Cats, Inc., its directors, officers, employees and volunteers. These activities include, but are not limited to, the trapping, handling, caretaking and transporting of feral cats, and the handling or use of equipment related to trapping, handling, caretaking and transporting of feral cats.

I understand that my participation as a volunteer with Neighborhood Cats, Inc., its directors, officers, employees and volunteers under its supervision, is contingent upon my agreeing to this waiver.

IN SIGNING THIS WAIVER, I ACKNOWLEDGE THAT FERAL CATS ARE WILD ANIMALS AND CAN BE UNPREDICTABLE IN THEIR BEHAVIOR AND ARE CAPABLE OF INFLECTING SERIOUS BODILY INJURY, AND I WILLINGLY ASSUME THIS RISK.

Signature

Date

Name (please print)

WAIVER OF LIABILITY

Trap-Neuter-Return Project: Institutions, Property Owners

On behalf of: _____,

(full name of institution or property owner)

its directors, employees, and volunteers (if any), I agree to waive any and all future claims of liability, whether of negligence or any other cause of action, against Neighborhood Cats, Inc., its directors, officers, employees and all volunteers working under its supervision, for any of the following: any personal injury, property damage or any other type of harm, resulting from the activities, instructions and participation in any and all forms by Neighborhood Cats, Inc., its directors, officers, employees and volunteers under its supervision, in the trap-neuter-return project of the feral cat colony located at:

(address, /detailed description of location)

I understand that the involvement of Neighborhood Cats, Inc., its directors, officers, employees and volunteers under its supervision, in the aforementioned trap-neuter-return project is contingent upon my agreeing to this waiver.

IN SIGNING THIS WAIVER, I ACKNOWLEDGE THAT FERAL CATS ARE WILD ANIMALS, CAN BE UNPREDICTABLE IN THEIR BEHAVIOR AND ARE CAPABLE OF INFLICTING SERIOUS BODILY INJURY, AND ON BEHALF OF MY INSTITUTION AND MYSELF, I AM WILLING TO ASSUME THIS RISK.

I represent that I am authorized to sign this waiver.

Signature

Date

Name (please print)

Title

WAIVER OF LIABILITY
TRAP-NEUTER-RETURN WORKSHOP

I agree to waive any and all future claims of liability, whether of negligence or any other cause of action, against Neighborhood Cats, Inc., its officers, directors and employees, and the ASPCA, its officers, directors and employees, for any personal injury, property damage or any other type of harm, resulting from the use of any information or instruction provided at the How to Manage a Feral Cat Colony workshop held at the ASPCA, 424 E. 92nd St., NY, NY 10128, at 1:00 p.m. on Saturday, March 6, 2004.

Signature

Date

Print Name

FERAL CAT COLONY REGISTRATION FORM

(Please note: all information regarding the specific location and identification of cats and their caretakers will be held in strict confidence by Neighborhood Cats, Inc., and will not be disclosed to any other party without express written permission of the caretaker. Raw data such as numbers and general geographical area may be used for statistical studies.)

(Please type or print and use separate forms for each different colony if you are registering multiple colonies. Mail to: Neighborhood Cats, 2565 Broadway, No. 555, New York, NY 10025)

Caretaker Information:

Primary caretaker:

First Name

Middle Name

Last Name

Street Address

Apt. Number

City

State

Zip Code

Home Phone

Work Phone

Cell Phone

Pager

Email address

Secondary caretaker:

First Name

Middle Name

Last Name

Street Address

Apt. Number

City

State

Zip Code

Home Phone

Work Phone

Cell Phone

Pager

Email address

Colony information:

Colony Name (must be unique)

Street Address (or closest street address)

Cross Streets

City

State

Zip Code

Description of site (e.g., vacant lot, inner courtyard, back alley, park, pier, parking lot, etc.)

Number of Cats (please indicate if this is an exact count or an estimate)

Number of Cats neutered

How often are the Cats fed?

Quantity of food provided daily

What brands or types of food are provided?

What type of shelter do the cats have?

What is the general attitude of the neighborhood towards the Cats?

Please add any comments you would like to make about your colony

