



Colorado Veterinary  
Medical Association

**Testimony HB13-1125 – Prohibition on Animal Impoundment  
Monday, February 18, 2013 – House Committee on Agriculture,  
Natural Resources and Energy**

Chairman Fischer and members of the Committee, thank you for the opportunity to present these comments. I am Dr. Curtis Crawford, a veterinarian from Monte Vista, Colorado and an officer of the Colorado Veterinary Medical Association (CVMA), which is the voice of more than 2,200 members throughout our great state. I speak for CVMA today to ask you to oppose House Bill 1125 because of the unintended consequences on both people and livestock. Our concerns include:

1. **Lack of definition** – This bill would place on a veterinarian the burden of trying to interpret an ill-defined standard, namely to determine when impoundment is necessary to preserve the life of the animal. My personal experience from years in practice attending to the needs of animals both large and small has demonstrated that such judgments are challenging, at best, and often impossible to make about living beings. Many animals can survive with significant disease for much longer than expected at times, while others can die unexpectedly. Further, waiting until the animal is in imminent danger of losing its life tremendously raises the costs of saving that animal's life, and its functional value may be lost even if its life can be saved. Imminent death is not a suitable standard for protection of animals, ever.
2. **Personal safety** – This bill would place veterinarians in potentially volatile circumstances between parties on different sides of the fence, so to speak. Indeed, I have had the occasion to be in such a circumstance, between the interests of the animal owner and the law enforcement officer, and suffice it to say that I feared for my personal safety and I hope never to be placed in such a circumstance again. When we go out on a farm or ranch call, we take medicines to treat sickness and injury – not a bullet-proof vest for fear of being shot at.
3. **Timeliness** – In many areas of our state, there is a shortage of large animal veterinarians. In fact, there are 15 Colorado counties that don't have even one large animal veterinarian in the county. What will happen with this new requirement if a veterinarian with livestock expertise is not available for an inspection due to the shortage of veterinarians, or the distance that must be traveled, or even because of an already booked schedule? We fear the possibility that animal suffering could be prolonged because circumstances make a veterinarian unavailable and thus prohibit law enforcement from taking appropriate and prompt action.

4. **Compensation** – This bill does not identify the party who will be held responsible for paying the fees of the veterinarian. Would compensation be the responsibility of the law enforcement agency or the animal owner, and would it cover the involvement of a veterinarian through a potentially extensive engagement that might range from inspection and documentation to consultation with law enforcement and district attorneys? Again from personal experience, the time involvement in such cases can be extensive, and it is fair for a veterinarian to reasonably compensated – by someone, though it's not clear just who – for providing expertise.

We also have a concern about the liability this bill would create for veterinarians. If an amendment were to be offered that would provide immunity from civil liability for a veterinarian conducting an inspection of livestock, it would be welcome of course. However, it would not resolve the issues of an ill-defined standard, personal safety, timeliness of inspection, or compensation for services.

Most important of all, however, is that as veterinarians our first interest is the welfare of the animals we serve. Though unintended, the primary consequence of this bill could be to compromise the welfare of animals by inhumanely requiring them to endure suffering for days, months or even years until they reach the point where they can be impounded to preserve their lives. Such a statutory requirement is inconsistent with societal values that are embodied in the cruelty statutes already on the books in our state, inconsistent with the ethical commitment of animal care and control professionals to the wellbeing of animals, and inconsistent with the veterinary oath – under which “I solemnly swear to use my scientific knowledge and skills for the benefit of society through the protection of animal health and welfare, and the prevention and relief of animal suffering.”

For these reasons, CVMA asks you vote no on HB1125. Thank you again for the opportunity to make these comments.