

## Position on Free Roaming Domestic and Feral Cats

### St. Petersburg Audubon Society Position on Free-Roaming Domestic and Feral Cats

#### Background

The domestic cat (*Felis catus*) is a beloved house pet with over 77 million pet cats nationwide. Of these, currently about 43 million spend some time outside. Additionally, there may be 60 to 100 million homeless stray and feral cats. Domestic cats have become a common feature not only of our backyards and city streets but also of our parks and other wild lands. Domestic cats are non-native to Florida. Animal behavior experts note that cats will hunt and kill even if well fed. Domestic cats are very effective predators on prey animals including rabbits, squirrels, mice, lizards, snakes, and many species of wild birds. They are not a part of natural ecosystem. Scientists in Wisconsin estimate that cats kill at least 7.8 million birds per year in that state alone. Even well-fed cats and cats with bells on their collars kill birds and small mammals. Cats compete with native predators and spread disease. They can be a nuisance and kill poultry and other small domestic livestock.

#### Resolution approved by the Board of St. Petersburg Audubon Society:

**WHEREAS** free-roaming domestic and feral cats (*Felis catus*) are non-native predators in all habitats in which they occur; and

**WHEREAS** free-roaming domestic and feral cats are exceptional and prolific predators of mammals, reptiles, amphibians, insects and birds. They are estimated to kill hundreds of millions of native birds and other wildlife annually in the United States and has been estimated that birds represent 20-30% of the prey; and

**WHEREAS** feral cat colony programs and “managed” cat colonies, wherein feral cats are captured, trapped, vaccinated, neutered, released and fed, do not eliminate predation on native wildlife or reduce the size of feral cat colonies nor protects cats from outdoor hazards and encourages people to release their cats outdoors; and

**WHEREAS** People for the Ethical Treatment of Animals (PETA) does not support trap, neuter and release (TNR) or ‘managed’ feral cat colony programs. Outdoor cats are exposed to diseases (feline leukemia, feline panleukopenia, rabies), hazards such as vehicles, and predation; and

**WHEREAS** bites, scratches, and fecal contamination from free-roaming domestic and feral cats pose a risk to the general public through transmission of diseases such as toxoplasmosis, roundworm, and rabies; and

**WHEREAS** government wildlife agencies are charged with the management, conservation and preservation of native fauna, but few government agencies have regulations or public policies, or enforce regulations or public policies, that restrict, deter or control free-roaming domestic and feral cats; and

**WHEREAS** the American Bird Conservancy, American Ornithologists' Union, American Association of Wildlife Veterinarians, International Association of Fish and Wildlife Agencies, National Association of State Public Health Veterinarians, Inc., Florida Fish and Wildlife Conservation Commission and the Cooper Ornithological Society have concluded that free-roaming domestic and feral cats can have a significant negative impact on local wildlife populations.

**THEREFORE BE IT RESOLVED** that the Board of Directors of the St. Petersburg Audubon Society recognizes the science-based conclusions of the adverse impacts of free-roaming domestic and feral cats on birds and other wildlife; and shall work with communities to educate the public about dangers that free-roaming domestic and feral cats pose to birds and other native wildlife, as well as dangers to the cats themselves inherent with being outdoors including transmission of diseases, hazards and predations; and

#### **FURTHER BE IT RESOLVED** that St. Petersburg Audubon Society:

1. calls for all cats to be kept indoors and the humane removal of free-roaming domestic and feral cats;
2. opposes human behavior permitting cats to roam free;
3. supports programs to neuter or spay cats before reaching reproductive age, vaccinate and register cats, and encourages owners to keep their cats indoors (unless on harness and leash or in a safe, enclosed, outdoor structure);
4. strongly opposes ‘managed’ outdoor cat colonies and Trap, Neuter, Release (TNR) practices;
5. will work with the scientific, conservation, and animal welfare communities to educate the public about the dangers that free-roaming domestic and feral cats pose to birds and other wildlife, as well as the dangers to the cats from outdoor hazards, diseases and predation;
6. urges local, state, and federal wildlife agencies, public health organizations, legislative bodies and the public to ban and eliminate free-roaming domestic cats and feral cat colonies through humane capture by individuals, animal services and/or control facilities.

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## References:

### 1. MIGRATORY BIRD TREATY ACT

16 U.S.C. §§ 703-712, July 3, 1918, as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986 and 1989.

**Overview.** The Migratory Bird Treaty Act implements various treaties and conventions between the U.S. and Canada, Japan, Mexico and the former Soviet Union for the protection of migratory birds. Under the Act, taking, killing or possessing migratory birds is unlawful.

**Prohibited Acts.** Unless permitted by regulations, the Act provides that it is unlawful to pursue, hunt, take, capture or kill; attempt to take, capture or kill; possess, offer to or sell, barter, purchase, deliver or cause to be shipped, exported, imported, transported, carried or received any migratory bird, part, nest, egg or product, manufactured or not. Subject to limitations in the Act, the Secretary of the Interior (Secretary) may adopt regulations determining the extent to which, if at all, hunting, taking, capturing, killing, possessing, selling, purchasing, shipping, transporting or exporting of any migratory bird, part, nest or egg will be allowed, having regard for temperature zones, distribution, abundance, economic value, breeding habits and migratory flight patterns. Regulations are effective upon Presidential approval. §§ 703 and 704.

The Act makes it unlawful to: ship, transport or carry from one state, territory or district to another, or through a foreign country, any bird, part, nest or egg that was captured, killed, taken, shipped, transported or carried contrary to the laws from where it was obtained; import from Canada any bird, part, nest or egg obtained contrary to the laws of the province from which it was obtained. § 705.

**Arrests/Search Warrants.** To enforce the Act, authorized Department of Interior employees may: without a warrant, arrest a person violating the Act in the employee's presence or view; execute a warrant or other process issued by an officer or court to enforce the Act; search any place with a warrant. All birds, parts, nests or eggs that are captured, killed, taken, offered or sold, bartered, purchased, shipped, transported, carried, imported, exported or possessed contrary to the Act will be seized and, upon conviction of the offender or upon court judgment, be forfeited to the U.S. and disposed of by the Secretary. § 706.

**Violations/Penalties.** According to the Act, a person, association, partnership or corporation which violates the Act or its regulations is guilty of a misdemeanor and subject to a fine of up to \$500, jail up to six months, or both. Anyone who knowingly takes a migratory bird and intends to, offers to, or actually sells or barter the bird is guilty of a felony, with fines up to \$2,000, jail up to two years, or both. (Permissible fines are increased significantly by the Sentencing Reform Act of 1984, as amended in 1987, which is summarized separately in this Handbook.)

All guns, traps, nets, vessels, vehicles and other equipment used in pursuing, hunting, taking, trapping, ensnaring, capturing, killing, or any attempt on a migratory bird in violation of the Act with the intent to sell or barter, must be forfeited to the U.S. and may be seized and held pending prosecution of the violator. The property is to be disposed of and accounted for by the Secretary. § 707.

**Miscellaneous.** The Act should not be construed to prevent states and territories from making or enforcing laws or regulations not inconsistent with the Act or which give further protection to migratory birds, nests and eggs, if such laws and regulations do not extend open seasons. § 708.

The Act cannot be construed to prevent the breeding of migratory game birds on farms and preserves, and the sale of birds lawfully bred to increase the food supply. § 711.

In accordance with the various migratory bird treaties and conventions, the Secretary is authorized to issue regulations to assure that the taking of migratory birds and their eggs by the indigenous inhabitants of Alaska is permitted for their nutritional and other essential needs during established seasons. § 712.

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### 2. AMERICAN BIRD CONSERVANCY'S RESOLUTION ON FREE-ROAMING CATS

WHEREAS tens of millions of free-roaming domestic cats (*Felis catus*), including owned, stray (lost or abandoned by their owners) or feral (descendants of strays and shunning all human contact) are non-native predators and exist in significant densities throughout most areas populated by humans in the United States; and

WHEREAS free roaming domestic cats are efficient predators estimated to kill hundreds of millions of native birds representing 20-30% of the prey of free roaming cats, and countless small mammals, reptiles, and amphibians each year; and

WHEREAS free roaming domestic cats are subject to pain, suffering, and early death such as from debilitating and potentially fatal diseases, being hit by cars, poisoned, attacks by other animals, lost, or stolen; and

WHEREAS bites, scratches, and fecal contamination from free roaming cats pose a health risk to the general public through transmission of diseases such as toxoplasmosis, roundworm, catscratch fever, and rabies; and

WHEREAS "managed" cat colonies, wherein cats are trapped, tested, vaccinated, altered (spayed or neutered), released and fed, neither eliminate predation on native wildlife nor protect cats from outdoor hazards and encourages people to release their cats into the outdoors; and

WHEREAS government wildlife agencies are charged with the management, conservation and preservation of native fauna, but few have regulations or public policies to protect native fauna from free-roaming cats;

THEREFORE BE IT RESOLVED that American Bird Conservancy:

- calls for all cats to be kept indoors or under close supervision and the humane removal of all free roaming cats beginning with areas important to wildlife;
- opposes human behavior permitting cats to roam free;
- supports programs to neuter or spay cats before reaching reproductive age, register cats, and encourage owners to keep their cats indoors;
- strongly opposes managed free-roaming cat colonies;
- will work with the scientific, conservation, and animal welfare communities to educate the public about the dangers that free roaming cats pose to birds and other native wildlife and the hazards to free roaming cats; urges local, state, and federal wildlife agencies, public health organizations, legislative bodies and the public to:
  - (1) ban and eliminate free roaming cat colonies through humane capture by animal care and control facilities; and
  - (2) require the licensure of all cats and prohibit free roaming cats by adopting laws similar to those in existence for dogs.

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### **3. PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS (PETA)**

PETA's experiences with trap-alter-and-release (abandon) programs and "managed" feral cat colonies have led us to believe that these programs are not usually in cats' best interests. We have seen firsthand—and we receive countless similar reports—that cats suffer and die gruesome deaths because they are abandoned to fend for themselves outdoors. Many were in "managed" colonies, which usually mean that they were fed. Having witnessed the painful deaths of countless feral cats instead of seeing them drift quietly "to sleep" in their old age, we cannot in good conscience advocate trapping, altering, and releasing as a humane way to deal with overpopulation and homelessness.

### **4. DEFENDERS OF WILDLIFE**

Pets – Do not release exotic pets or dump out aquarium contents, better yet, do not buy exotic pets. Also, while cats as house pets are beloved by many, free-roaming cats are considered to be an exotic predator of local birds, mammals, reptiles and amphibians. In some localities, feral cat colonies are expanding at a rate that constitutes an invasion. Cats kept indoors are also safer and live longer than outdoor cats, who face fights, disease and automobiles.

### **5. NATIONAL AUDUBON SOCIETY RESOLUTION**

Resolution Approved by the Board of Directors on Dec. 7, 1997, Regarding Control and Management of Feral and Free-Ranging Domestic Cats:

WHEREAS feral and free-ranging domestic cats (*Felis catus*) are non-native predators in all habitats in which they occur; and

WHEREAS feral and free-ranging domestic cats exist in significant densities throughout most areas populated by humans, with reliable estimates in the millions for the U.S., and in the billions globally; and

WHEREAS feral and free-ranging domestic cats are exceptional and prolific predators of small mammals, songbirds, small reptiles, large amphibians and large insects; and

WHEREAS feral and free-ranging domestic cats are estimated to kill hundreds of millions of native birds and other small animals annually in the United States; and

WHEREAS it has been estimated that birds represent 20-30% of the prey of feral and free-ranging domestic cats; and

WHEREAS feral cat colony programs, wherein feral cats are captured, trapped, vaccinated, neutered and fed, do not eliminate predation on native wildlife or reduce the size of feral cat colonies; and

WHEREAS bites, scratches, and fecal contamination from feral and free-ranging pet cats pose a risk to the general public through transmission of diseases such as toxoplasmosis, roundworm, and rabies; and

WHEREAS government wildlife agencies are charged with the management, conservation and preservation of native fauna, but few governments have regulations or public policies that restrict or control feral and free-ranging domestic cats; and

WHEREAS scientific research on feral and free-ranging domestic cats has shown that such cats can have a significant, negative impact on bird populations, and

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### 5. NATIONAL AUDUBON SOCIETY RESOLUTION (continued)

WHEREAS the American Ornithologists' Union, American Association of Wildlife Veterinarians, International Association of Fish and Wildlife Agencies, National Association of State Public Health Veterinarians, Inc., and the Cooper Ornithological Society have concluded that feral and free-ranging domestic cats can have a significant negative impact on bird populations; and

WHEREAS the American Bird Conservancy has concluded that feral free-ranging domestic cats can have a significant impact on local bird populations; and

WHEREAS the American Bird Conservancy has initiated a national campaign to limit the impacts of free-ranging and feral domestic cats on bird populations;

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the National Audubon Society recognizes the science-based conclusions of the adverse impact of feral and free-ranging domestic cats on birds and other wildlife; and

BE IT FURTHER RESOLVED that the National Audubon Society will convey such science-based conclusions to its chapters so that they, if they so wish, will be in a position to advocate that local and state wildlife agencies, public health organizations and legislative bodies restrict and regulate the maintenance and movement of feral and free-ranging domestic cats out-of-doors and to support programs to vaccinate cats and to neuter or spay cats; and

BE IT FURTHER RESOLVED that the National Audubon Society and such chapters as shall so wish, will work with the scientific, conservation, and animal welfare communities to educate the public about the dangers that feral and free-ranging domestic cats pose to birds and other native wildlife; and

BE IT FURTHER RESOLVED that the National Audubon Society will work on this issue with such federal wildlife agencies, public health organizations and legislative as the Society shall deem appropriate.