



## SOUTH CAROLINA TO GRANT SPCA POLICE POWERS

**\*\* HEARING SET FOR MARCH 3<sup>rd</sup> \*\***

### **The Issue:**

The South Carolina Senate Committee on Agriculture & Natural Resources will hear [Senate Bill 200](#) on Thursday, March 3, 2011. SB 200 proposes to authorize agents of the South Carolina Society for the Prevention of Cruelty to Animals (herein SCSPCA) to become deputized by localities with the capability of warrantless arrest of citizens accused of animal cruelty infractions.

### **The Impact:**

The bill provides that any person acting as an agent of the South Carolina Society for the Prevention of Cruelty to Animals, or any society duly incorporated for that purpose, is authorized to do the following:

- assist with a lawful investigation of alleged violations of animal cruelty;
- accompany law enforcement officers making arrests for a violation of animal cruelty; and
- participate with law enforcement officers in the seizure of animals pursuant to a lawful arrest, and take custody of animals.

The bill further states that agents of the SCSPCA may only make an arrest of a person if they “have been vested with the power to arrest by a sheriff or the governing body of a county or municipality”.

Under this legislation, any person violating state animal cruelty laws may be subject to arrest, without a warrant. Also, the SCSPCA will have a lien on expenses for the animals taken into their custody due to these violations.

### **PIJAC Position:**

PIJAC strongly supports reasonable laws to protect against abusive or negligent treatment of pets. As with any law, legislators should be prudent when expanding police powers not to abridge fundamental rights of its citizens. Laws that permit warrantless searches and arrest of private citizens invite potential for harassment and abuse of police powers. Police powers should be reserved for persons employed by designated government agencies and should not be extended to private citizens. SPCA agents do not answer to voters, and just because they are ‘deputized’ doesn’t mean they will act responsibly. PIJAC routinely works with humane associations, and greatly respects the good service they provide to society. This does not mean they should be given unfettered power. South Carolina does not permit private citizens to exercise these types of police powers in protecting minor children, or other incompetents.

## **Recommended Action:**

All pet owners in South Carolina should read [SB 200](#) carefully and contact the [Senate Agriculture & Natural Resources Committee](#) members with any questions or concerns. The meeting will be held on March 3<sup>rd</sup> in Room 207 at 9:30 a.m.

If you have any additional questions or concerns please contact PIJAC's Bambi Nicole Osborne at 202-452-1525, ext. 105 or via email at [bambi@pijac.org](mailto:bambi@pijac.org).

### **PIJAC Members! PIJAC Fans! Join US...**

The Pet Industry Joint Advisory Council (PIJAC) has been protecting and promoting responsible pet ownership for nearly forty years. Follow our successes, events, and action alerts through Facebook and/or Twitter at PIJAC4pets. If you are not already a Member, please join us today by visiting [www.pijac.org/membership](http://www.pijac.org/membership). For additional information on PIJAC and its many exciting campaigns, please visit: [www.pijac.org](http://www.pijac.org) and [www.dontmesswithmypet.org](http://www.dontmesswithmypet.org). Or, contact us at 1-800-553-PETS (1-800-553-7387); [members@pijac.org](mailto:members@pijac.org).

**On behalf of pets, responsible pet owners, and the pet industry, we thank you!**