Choosing Liability Insurance:
What You See Is Not Always What You Get

by Roger Kindler

Active humane societies are more likely to be sued for such torts as libel, slander, malicious prosecution, false arrest, intentional interference with property, and invasion of privacy than are other kinds of non-profit, charitable corporations. Such enhanced exposure naturally follows from humane societies' role in investigating and prosecuting animal cruelty and neglect cases, in publicizing exploitative practices, and in confronting and criticizing a variety of established private (non-governmental) interests (for example, the trapping industry, zoos, laboratories, and landowners). Given such risks, questions about liability insurance to cover an organization and its employees in the face of lawsuits frequently arises. Such insurance is commonly available, but the exact policy must be carefully chosen.

The Humane Society of the United States (HSUS) offers the following advice to animal-welfare organizations considering the purchase of liability insurance:

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1. Obtain and read, or, preferably, have an attorney read the actual insurance policy or contract, which is a detailed multi-paged document. Do not stop with assurances from the agent or sales representative or by simply reading the binder sheets or a brief description of the coverage.

2. Be certain that the policy insures your organization against the types of claims about which you are most concerned. For example, liability policies frequently exclude all forms of defamation from their coverage, including libel and slander.

3. Find out whether the insurance company is obligated to defend your organization against suits. Will it actually furnish attorneys, investigators, etc., or will your organization have to hire (and pay) attorneys to defend it, with the insurance company reimbursable only for paying whatever monies a court may award a plaintiff? Be aware that both primary liability insurance and backup insurance (so-called umbrella policies) are available.

4. Be certain that the overall policy is geared to the problems of non-profit organizations, as opposed to businesses. Many general liability policies speak in terms of "product hazards" or "advertising injurers," and they use other key terms that simply do not describe the activities of humane societies. In the event of a claim against you, such language can be used by the company to deny coverage on the ground that the particular claim is not covered under the policy.

5. In a similar vein, be certain that the insurance sales representative is aware of the full range of your organization's activities, such as shelter operations, cruelty investigations, boycotts, controversial publications, and more. Thoroughly answer questions in the application for insurance and attach copies of your publications if requested or if appropriate.

6. An effort should be made to find out how the insurer reacts to similar claims. For example, is the company known for cancelling policies after a claim has been paid (which may mean, in effect, that you're purchasing "one-shot" insurance)?

7. Compare more than one policy on a clause-by-clause basis. Usually there are significant differences, which should be carefully weighed.

Finally, keep in mind that over-reliance upon insurance is a mistake. On balance, of course, it is better to have liability insurance. However, the best protection for an organization and its clients is to inform and influence local officials. Since you are usually the best informed person about your organization's activities, try to impress this upon your clients. Be aware of the need to be consistent in your approach and to be patient in the face of setbacks.

One way to indirectly inform and influence local officials is to write a letter to the editor of a newspaper or magazine about an article or express your feelings about a television or radio show that contains inhumane or incorrect information about animals. Once you've set aside time to do so, the rest is very easy. Send your local officials a copy of your letter.

Letters to the Editor

* Be concise; don't ramble. Make your point in the first paragraph, and omit needless words.

* Refer to -- but don't repeat -- the original article so that there will be no question about your concern.

* Promptly write your letter. If a letter is not timely, it may not be printed. Write your letter while your reaction is still fresh and while the newspaper or magazine readers will be able to recall the article to which you are referring.

* Don't flood the magazine or newspaper editorial office with letters in response to every item that disturbs you. Carefully choose the articles that most need a response. If you don't, an editor may take you for granted after awhile.

* No matter how upset you are, do not call names, swear, or threaten anyone in your letter. That is very unprofessional. Your goal should be to educate people and to advance the animal-control and humane fields. Be firm, and be certain that your facts are correct.

* A well-worded letter from a local community leader can strengthen your position and likely will be printed. Encourage friends and co-workers to write, too, but don't simply copy each other's letters. Make a list of the basic facts you wish to present, and let others refer to this information as they compose their own letters.

* Always sign and date your letters. Provide an address and telephone number at which you can be easily reached. If you do not want your name published, contact the publication to inquire about its policy concerning anonymous letters.

Response to Radio and TV Programs

* Address letters to local radio and TV stations in care of the "public affairs director." Better yet, call the station to find out the name of the person to whom you should address your letter. Record this information on your Rolodex for future reference.

* When a network program prompts your response, you can write the sponsor, the network, or the producer. Look for the sponsor's address on the back of the advertised product. Write the producer in care of the network.

* Be specific about whether your comments concern a TV or radio show. Give the date, time, and name of the program to which you are referring.

* If you see or hear an editorial with which you do not agree, contact the station to see if you can tape a reply. Many stations encourage responsible replies.

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Every year, many animals suffer and die when left in hot cars and campers while their owners attend fairs, festivals, or other events. One California humane society recently worked to prevent this senseless activity at a local event.

The Humane Society of Santa Clara Valley (2530 Lafayette St., Santa Clara, CA 95050), an HSUS-accredited society, cared for 99 dogs and one cat at an annual three-day garlic festival in nearby Gilroy with the cooperation of festival officials. In past years, officials requested in all festival advertisements and announcements that attendees not bring pets, but during last year’s event, two dogs died after they were locked in cars. Since many of the approximately 120,000 festival attendees are from other areas of the country, Humane Officer John Willits asked the officials if something more could be done this year, and Festival Director Dave Bouchard agreed, according to Jane Hutchison, the humane society’s community relations director.

Festival officials provided a large canopy under which the society set up a display, an information table, sky kennels, and exercise pens. Festival parking lot attendants and ticket sellers directed people to the canopy and encouraged festivalgoers to leave pets home.

At least one society employee, as well as some volunteers, was at the canopy every day. Festival officials paid the salary of every society employee who was there during regular work hours and provided all workers with free admission and with lunch at the hospitality tent. Several teenaged girls walked dogs or held smaller animals after kennel space became scarce. A local four-wheel-drive club and the mounted unit of the local sheriff’s department also helped.

Every pet owner signed a release form and was asked to leave a personal item with their pet. The youngest dog cared for was for 10 weeks old; the oldest, 16 years. Response from the public — even non-owners — was extremely positive.

Humane-society staff recently critiqued the event and hopes its senior humane officer will soon meet with the festival committee to make recommendations for next year’s festival.

“Maybe this experience will prompt other organizers of large public events to cooperate with local animal organizations,” said Hutchison. “Our experience revealed a great deal of responsibility on the part of the festival organizers and really made us feel great!”

Believing that an effective pet placement program requires careful screening of both applicants and animals, a local humane society is sponsoring an intensive one-day workshop to encourage better animal adoption programs nationwide.

The Marin Humane Society is holding the Adoption Program Workshop on Saturday, Nov. 17, from 9 a.m. to 5 p.m. Lunch will be provided by the KaKan pet food company. Led by Bay Area experts, workshop sessions will cover volunteer use, adoption policies, animal screening for health and temperament, and applicant screening. Included will be a discussion of applicant forms, sterilization contracts, new pet...

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Coalition To Infiltrate Humane Groups

by John McArdle

In the September Shelter Sense, Phyllis Wright cautioned you in "Just Wright" about problems that can arise when selecting new members for your shelter's board of directors. We believe that such problems should be of immediate concern to you.

The American Farm Bureau Federation (AFBF) has routinely opposed new animal-welfare legislation as a matter of policy. This has included attempts to stop improved care standards for laboratory animals, a ban on the leghold trap, studies of farm-animal welfare, and funds for training veterinarians in the proper care of and alternatives to laboratory animals.

Unfortunately, the AFBF's actions are not limited to blindly opposing progressive animal-welfare legislation. At a recent meeting in California, the AFBF announced that it is forming a national coalition with veterinary, medical, and scientific organizations to coordinate opposition, which appears to target all humane societies, to the animal-rights movement.

Although the AFBF initially decided to avoid a direct attack on the animal-rights movement -- believing that the movement will "burn itself out" -- it now strongly recommends one type of local response. It plans to "research, monitor, and infiltrate the opposition." Specifically, it is asking local farm people to "join the county humane societies and the societies for the prevention of cruelty to animals to attempt to focus their activities on stray dogs and cats."

This coalition has formally announced its intention to infiltrate local humane societies in an attempt to direct their energies and actions away from the serious, broad-based animal abuses that characterize our society toward issues more palatable to itself. Now, more than ever, your organization needs to carefully screen possible new board members.

In addition, beware of individuals who buy memberships from your organization in order to use the voting power of members to control elections to the board of directors and, therefore, to control organizational policy. The best way to counter this might be to include a provision in the bylaws that excludes individuals as voting members if they have a conflict between their livelihood and the organization's goals and policies. People who derive income from the use, sale, treatment, or care of animals should not, under most but not all circumstances, be officers or directors of a humane society. We are particularly concerned about people involved in biomedical research.

Opponents have not been able to slow the growth of the animal-rights movement from without. It would be tragic if they succeeded in doing it from within.

John McArdle is director of Laboratory Animal Welfare for The Humane Society of the United States.

A Pennsylvania man will design individual logos (identification marks) for animal organizations that want to improve theirs or begin using one on newsletters, stationery, and other printed materials.

Greg Campana, a recent Purdue University graduate who majored in design and communication, cares about animals and believes that an attractive logo is necessary to public recognition of an animal organization's programs and policies.

Campana will consult with individual organizations about a new logo design, including a written contract and a mutually agreeable fee. For an additional fee, he will design business cards, stationery, envelopes, and other materials.

Campana has designed brochures and posters, studied photography (including a photodocumentary of a local humane society), and he is knowledgeable about silkscreening, computer graphics, and fine arts. "The bottom line is, hopefully, more success in communicating an animal organization's plea to people, because the animals aren't heard!" he said. "I am excited about becoming a helpful new resource and am willing to do all that I can to be just that."

Address inquiries to Greg Campana, 341-TA Oakville Drive, Pittsburgh, PA 15220.

The Gaines Shelter Cash-In Plan (Shelter Sense, April 1984, Vol. 7, No. 3, Page 12) now pays double the money previously paid to animal shelters that send Gaines the starred price markers from its dog food products.

During a special promotion, which will end Dec. 31, 1984, Gaines will pay participating shelters 10 cents for each 500 markers, 20 cents for each 1,000 markers, and 30 cents for each 5,000 markers. In addition, the 50 shelters that send in the largest number of markers by the December deadline each will receive a $1,000 bonus.

Gaines invites dog clubs as well as youth, church, and school groups to help local shelters collect the markers. A special toll-free number -- 1 (800) 8-Gaines -- will provide callers with the name and address of the nearest participating animal shelter. For further information, write Gaines Dog Care Center, 250 North St., White Plains, NY 10625.
Useful HSUS Booklets

The Directory of Manufacturers and Suppliers, Animal-Control Facilities, Animal Shelters, and Spay Clinics helps shelter personnel find what is needed to run a shelter, from floor coverings to medical supplies. The 23-page booklet lists products by category, company names by product category, and it contains an alphabetical list of companies with addresses, telephone numbers, and product codes. Updated this year, the booklet will be periodically revised, and readers are invited to contribute information about specialty items and their sources.

To order a copy, send a $1.50 check or money order to The HSUS. Specify order number AC4025.

The ABCs of Animal-Welfare Campaigns shows humane groups how to run organized, effective publicity campaigns. The 11-page booklet includes sample public service announcements, news releases, audio/video scripts, and more, and it discusses various media such as billboards, speakers' bureaus, newsletters, letters to the editor, and radio/TV spots.

To order a copy, send a $1 check or money order to The HSUS. Specify order number PM2021.

Address orders for both publications to The HSUS, 2100 L St. N.W., Washington, DC 20037.

Free News From Ralston Purina

Two free publications are available from the Ralston Purina Company. The company will send free, single copies of information sheets on pet care to get owners who request them. For Your Information discusses the unique characteristics of the cat, common sense feeding for the adult dog and cat as well as for puppies, how to housebreak puppies, how to compare pet food, how to select a puppy, and more.

In addition, the company publishes NOTEBOOK four times a year, a newsletter of pet information which may interest shelter- and humane-society workers. There is no subscription supply.

To order the set of sheets and/or subscribe to NOTEBOOK, write Jane Popham, technical writer, the Pet Nutrition and Care Research Department, Ralston Purina Company, Checkerboard Square, St. Louis, MS 63164.

WANTED - Animal-control officer, City of Cambridge, Mass. Salary, $20,063; uniform allotment, $450 per year; total medical and dental coverage. Send application, resume, references to Ginger Gay, director, Cambridge Animal Commission, 57 Inman St., Cambridge, MA 02139, or call (617) 498-9041 for further information.

WANTED - Several people for patient care or administration at a well-established wildlife rehabilitation center. Dynamic, idealistic, private organization handles 3,500 wild animals per year. Long hours. Living quarters available. Salary negotiable. Only motivated, career-oriented individuals should apply. Send resume to Betsy Lewis, Lifeline for Wildlife Inc., RD 104, Ellenville, NY 12428.

WANTED - Education/community relations director for HSUS-accredited organization in southern Florida. Pilot program requires experience in education and/or fund raising. Must coordinate education, fund-raising, volunteer, and media programs. Send resume, salary requirements to Karen Medicus, executive director, Animal Rescue League of Martin County Inc., 2675 S.E. Dixie Highway, Stuart, FL 33494.

WANTED - Education director for HSUS-accredited organization in suburban Washington, D.C. Humane education experience preferred. Handle public programs, community relations, and publications. Send resume, salary requirements to Director, Montgomery County Humane Society, 14645 Rotherth Drive, Rockville, MD 20850.

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its officers and directors is not an insurance policy but rather quality internal procedures for conducting cruelty investigations, reviewing the texts of publications, etc., that are designed to detect and eliminate, or, at least, lessen possible legal risks. Similarly, officers, members of boards of directors, or trustees of an organization can best avoid personal liability for mismanagement and charged wrongful acts by paying attention to the workings of the organization, and by participating, and when appropriate, by exercising the proper degree of supervision. Ignorance or lack of awareness of your organization's actions through inattention is not a valid legal defense and is also a breach of a board member's or an officer's basic duty to the organization.

Roger Kindler is associate general counsel for The Humane Society of the United States.

For information about organizational management, see "Organizing an Effective Board of Directors," by Carroll S. Thrift (Shelter Sense, February 1984, Vol. 7, No. 1). To obtain a set of this issue, send a $1 check or money order to Shelter Sense, The HSUS, 2100 L St. N.W., Washington, DC 20037.
An Introduction to Computer Terminology

Part 1: Here's to Hardware!

by Kay Smart

How's your computerese? Do you feel left out when people talk about their latest mini/micro/PC/mainframe/supernini acquisition? This series of articles will help those who would like to learn some basic computer definitions.

Below are some general terms and concepts about computer equipment. The November issue will explain the ways the internal computer and computer programs (software) work. Following that will be a discussion of how to purchase computer equipment.

A computer consists of pieces of equipment called hardware, which make it function. Several different devices, when combined, allow data to be manipulated and make it possible to display information on a video screen, to print, or to produce graphs. A computer cannot operate without at least one piece of hardware that has "brains." The "brains" of a computer are called chips or microprocessors. A chip consists of layers of silicon sandwiched together, and each layer has chemical pathways etched on it that create thousands of junctions for storing data and telling the computer how to work. Chips can be as small as three-eighths of an inch.

There are many different kinds of computers. Three common groups, which are often mentioned, are the mainframe, minicomputers (minis), and microcomputers (micros or personal computers or PCs). The differences among them mainly concern price and storage (how much the computer can remember).

A mainframe is a large computer capable of processing extremely large amounts of data at very fast speeds and for a very high price. Many big businesses and government agencies, for example, use mainframes.

A minicomputer has smaller computer storage and slower processing speeds, and it involves lower costs. The HSUS headquarters in Washington, D.C., has a minicomputer as do several large humane societies across the nation.

A microcomputer is a system consisting of a cathode ray tube (CRT or video screen), a keyboard, and limited storage, for a cost of approximately $10,000 or less. Microcomputers, such as the IBM PC, Apple, and Atari, are affordable for business or home applications (including games). As you have been reading in this monthly column, many humane societies and shelters are presently considering or have purchased micros. It is becoming more and more difficult to draw a line between minicomputers and microcomputers because of advances in chip technology. (Some people joke that one difference between the two is that a microcomputer, but not a minicomputer, will fit into the trunk of a car.)

Peripheral devices, which are pieces of hardware that can be attached to the main piece of equipment, can be used with any of the three computer groups. The main piece of equipment to which peripherals are attached in the case of mainframes and minicomputers is the central processing unit (CPU). The CPU houses the circuitry, chips, and disks that store data and solve problems. The main hardware for the micro or PC would be the terminal itself (a video screen plus a keyboard). PC terminals are "intelligent" because they have storage (memory of data) as part of their hardware. Some examples of peripheral devices used to input information are CRTs, disks or diskettes (these look like 45-rpm records, and they magnetically store data), punched cards, and scanners like those that read the bar codes on grocery items. Data can also be output onto the CRTs (video screens), disks, diskettes, magnetic tape, printers, plotters that produce graphs, and more. Other types of peripherals include disk drives, which can be internally or externally located on your computer. Disk drives spin the disks so information can be stored or made available to the computer.

A modem hooks up a computer to phone lines. With that, computers, terminals, PCs, or almost any combination of hardware can talk to each other over the phone.

If your organization is considering purchasing or upgrading a computer system, this brief look at some hardware terms may help with future reading or decision making. The end of this series will include a glossary of terms for future reference. (A "cheat sheet" can be very handy!) •

Kay Smart is the data processing manager for The Humane Society of the United States.

Send us news about your organization's experience setting up and using a computer. Address articles to Shelter Sense, 2100 L St. N.W., Washington, DC 20037.

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Keep These Addresses Handy:

Audience Requests
ABC
1330 Avenue of the Americas
New York, NY 10019

Audience Services
CBS
51 W. 52nd St.
New York, NY 10019

Audience Services
NBC
30 Rockefeller Plaza
New York, NY 10020

Remember, send a copy of your letter to local officials. They represent you and need to know how you feel about community issues. •
Proper Wildlife Handling Can Prevent Rabies Exposure

Some areas of the nation are faced with a wildlife rabies epidemic, and others are certain to discover rabid wildlife from time to time. Animal workers must follow the proper procedure for preparing suspected rabid animals for laboratory analysis in order to protect themselves and their co-workers from accidental rabies exposure. Although the techniques used to prepare a specimen for rabies analysis vary from state to state, and workers must consult with their state's health department to determine what are those techniques, the responsibility for avoiding the spread of rabies within shelters rests with the workers themselves.

With the assistance of Donald Ford, D.V.M., Shelter Sense offers the following advice about handling rabid wildlife, and this may be cut out and reproduced in quantity for all personnel who handle such specimens. Credit must be given to Donald Ford, D.V.M., and The Humane Society of the United States.

* A rabies pack should be maintained at each facility, ready for immediate use, and should consist of two 3-mil (gauge) plastic bags (use the red variety marked "Hazardous Material"), two pairs of surgical or examination gloves, a wooden board, newspaper or other absorbent material, a container of disinfectant, an ax (if a band saw is not available), and a scalpel.

* Once an animal bite or suspected rabies-contaminated saliva or fluid exposure has occurred, all materials associated with that animal should be strictly handled as if rabies virus is present until a laboratory analysis has confirmed or denied this fact.

Besides an animal bite, the most dangerous way of contracting rabies is through the mucous membranes of the eyes, nose, and mouth or through a cut on a hand (including a tiny paper cut).

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Therefore, do not come into contact with the suspected animal via the skin or eyes or inhale any aerosols suspected of coming into contact with the animal. Wear gloves without any rips or tears in them (preferably new, sterile surgical gloves that fit well). If at any time your gloves break or you are exposed to fluids, STOP! Wash the area and put on new gloves. Dispose of the wash water in a public drain or septic tank.

* Hopefully, the head and skull will not have been damaged by clube or gunshot wounds. If so, consider that all exposed tissue, blood, and fluid could contain rabies virus, and handle it accordingly.

* Once the animal’s head is removed, place it in a 3-mil plastic bag, and place your gloves in a separate bag to be disposed of with the carcass. Put on another pair of gloves. Fold or twist the top of the bag to prevent fluids from soiling its exterior.

Place the bag containing the head into another plastic bag (3-mil size) and refrigerate (do not freeze) it until it is ready for laboratory analysis. Do not handle this bag unless you are wearing gloves.

* The remaining carcass should be carefully wrapped in the absorbent cover upon which it has been resting, promptly cremated or covered with disinfectant, and burned at least three-feet deep in soil. Do not include it with other carcasses. The wooden board should be disinfected after each use. Using gloved hands, the other instruments used should be disinfected and cleaned.

Remember that rabies can be quickly killed by exposure to sunlight (ultraviolet light), temperatures above 98°F (37°C), and quaternary ammonium compounds (disinfectants such as Roccall-D). Therefore, the work area must be exposed to ultraviolet light and disinfectant in order to kill the rabies virus.

* As soon as the body disposal is completed, to aid the investigation, record all known contacts with the animal while it was living and after it died.

* Promptly resupply the rabies pack to enable immediate handling of future suspected rabid wildlife.


A recent newspaper article, sent to me by Bonnie Smith of the Humane Society of Rowan County in Salisbury, N. Car., points out not only the importance of long-term efforts by pet owners to locate missing pets but also of the need for accurate record keeping and timely public announcements about newly sheltered animals.

The article explained that after three weeks, Shirley Lewis of Salisbury was reunited with her Great Dane, Bess, when a man who had found her saw the animal advertised as missing in a local newspaper. The $135 ad, placed by Lewis, ran three times, and Lewis reportedly spent an additional $20 for a regular "lost and found" column ad, $150 for gasoline in order to drive around and check leads, an undisclosed amount for the services of a private detective, and $100 for a reward. Local law enforcement officials, maintenance workers, transportation department employees, the highway patrol, radio and TV stations, the humane society, the animal shelter, and others helped Lewis search for her dog.

Humane societies and animal-control departments must renew their efforts to publicize the necessary steps every pet owner should take when his or her cat or dog is lost. Re-emphasize that pet owners must work at finding lost pets by posting notices, asking neighbors to help, visiting the shelter, and more. Pets do show up, even months after they are first missed.

Now, too, is the time to re-emphasize to pet owners the importance of keeping a collar and an identification tag on each pet, having pets licensed, and not allowing them to run loose.

Animal organizations must continually examine their record keeping procedures to make certain they aren’t disorganized and incomplete. Regularly provide public announcements in newspapers and on radio and TV about animals that have newly arrived at the shelter. There have been too many horror stories about pet owners who have visited or telephoned animal shelters in search of lost pets only to be told that the animals aren’t there despite the fact that they are sitting in shelter cages.

Your task is to show people ways to become better pet owners. However, they must be able to count on you when they are trying to be just that.