

July 5, 1999
Rose Anne Fierro
4115 Meadow Lane
Seaford, New York, 11783
Electronic mail: Bancheedob@aol.com

Mr. David Horton and
Members of The Board of Directors
Doberman Pinscher Club of America
2 Poe Lane
Westford, MA 01886

Dear Mr. Horton and Members of the Board:

On February 21, 1999 I had the opportunity to visit the residence of Teresa Wilds at 4611 Burlington Road, Hyattsville, Maryland. Ms. Wilds is a DPCA member and president of DARE, Inc a rescue group operating out of Maryland. As I stated in my letter to the Investigations Division of the American Kennel Club dated February 28, 1999:

“In my seventeen years in rescue I have never seen anything as horrific as the conditions inside Ms. Wild’s house. The inside of the house was filthy beyond imagination. There were feces and garbage throughout. The stench of urine was overpowering. The condition of the dogs was appalling and the obvious signs of neglect were apparent.”

In addition to notifying the AKC about the conditions in the Wilds residence, I also notified the Prince George’s County (Maryland) SPCA/Humane Society.

I am in receipt of a letter from Ms. Athleen Conigliaro dated April 26, 1999 indicating that she is filing a grievance against me, alleging that I “behaved in a manner that is prejudicial to the goals and ethics of the DPCA, the fine sport of dog showing and to the Doberman breed itself, as defined in Number 14 of the DPCA Code of Ethics.” It has been more than one month since Ms. Conigliaro *et al* were asked to specify their charges against me and to provide documentary evidence to substantiate any allegations. To date, nothing has been forthcoming.

Ms. Conigliaro would like you to believe that my allegations regarding the animals in the care of Ms. Wilds are unfounded. She states in her grievance letter:

“Allegations of this nature should be made only if abuse and/or neglect are truly observed and documented.”

I couldn’t agree with her more, and because my allegations have been substantiated, it is my intention by way of this letter is to file a grievance against Ms. Conigliaro, an officer in

Doberman Assistance, Rescue and Education, Inc. (DARE), and a member of the Doberman Pinscher Club of America, for violations of the DPCA's Code of Ethics for violations of the Code of Ethics, specifically:

- Number Two -- Keep accurate breeding records, registration papers and pedigrees. Maintain the best possible standards of canine health, cleanliness and care, and
- Number Fourteen -- All members shall conduct themselves at all times in such a manner to reflect credit on the sport of purebred dog showing and Doberman Pinschers in particular. This includes respect for the show site, convention and overflow facilities, and all other aspects of responsible dog ownership.

I now wish to introduce into evidence certain relevant documents which will serve to establish that Ms. Conigliaro in violation of the DPCA Code of Ethics, and that her grievance against me is based upon false, incomplete, and misleading information. A check in the amount of twenty-five dollars is enclosed to cover the filing fee.

Background:

Briefly, last fall Ms. Wilds contacted me about obtaining a Doberman puppy for the purpose of showing. Because I had only met her once and had never visited her home, I requested references and received assurance from the treasurer of DARE, Athy Conigliaro, as well as others in their organization that Teresa Wilds would provide a good home for the puppy. On November 7th, 1998 I agreed to let Teresa Wilds have my pup on a trial basis. No papers or money were exchanged.

During the next few months I attempted to meet with Ms. Wilds on several occasions in December and January to see the pup, but was unable to do. She had repeatedly provided one excuse after another as to why she couldn't do so. Finally, I set a definite date for Sunday February 21, 1999 to meet her at the Baltimore shows. However, she did not show up for the appointment. Ms. Conigliaro, who was at the show informed me that Teresa Wilds had sick puppies and could not meet me. At this point I was becoming increasingly alarmed by Ms. Wilds avoidance of me, and informed Ms. Conigliaro that I would go to Ms. Wilds house to meet her since she was unable to come to the show site. Upon me saying this, Ms. Conigliaro called Ms. Wilds from her cell phone and left a message alerting her to my intentions. I left the show with Ms. Dee Shaw Ryan and proceeded to the Wilds residence at 4611 Burlington Road, Hyattsville, Maryland

In my letter to the AKC dated February 28, 1999, I noted the following conditions at Ms. Wilds' residence:

"The first thing I noticed was that the front yard was covered with feces and I was nearly overcome by the odor emanating from the waste products. Teresa Wilds went into the house with Dee Ryan Shaw and I followed. In my seventeen years in rescue I have never seen anything as horrific as the conditions inside Ms. Wild's house. The inside of the house was filthy beyond imagination. There were feces and garbage throughout. The

stench of urine was overpowering. The condition of the dogs was appalling and the obvious signs of neglect were apparent."

"The condition of my pup was terrible. He was covered with feces material and reeked of urine and feces. His ears were impacted with filth. He had scars all over him. Pieces missing from his ears. He was shaking uncontrollably. His collar was imbedded into his neck. He had cuts on his head. He was terribly underweight and malnourished."

Ms. Dee Shaw Ryan who accompanied me to Ms. Wilds on February 21, 1999 states in her letter dated February 24, 1999 (Attachment 1):

"I can only describe the condition of the home as cluttered, smelling of cat urine - ammonia smell..." (Paragraph 3, page 1).

"The interior of the house was unclean, trash was strewn on the kitchen floor and all of the main floor rooms smelled of urine."(Paragraph 2, page 2)

"This puppy was/has been neglected, not fed enough food and certainly has not been treated properly in my opinion." (Paragraph 3, page 3)

"I remain concerned for the other dogs who live w/ Ms. Wilds (both her personal and foster dogs) and if this puppy's condition is any example of the care that her dogs receive, well, those other dogs are in jeopardy."
(Paragraph 4, page 3)

I. DPCA Code of Ethics: 2. "Keep accurate breeding records, registration papers and pedigrees. Maintain the best possible standards of canine health, cleanliness and care."

Specific charge against Athleen Conigliaro: Ms. Conigliaro either knew of, or should have known of, the existence of animal cruelty and unsanitary conditions in a foster home operated by DARE, Inc. of which she is an officer.

As an officer in DARE, Inc. (or in any organization) Ms. Conigliaro has certain responsibilities related to her position. One is to ensure that her organization is operating within the applicable laws of the county, state and federal government in every aspect. Aside from her legal responsibilities, she has a moral and ethical responsibility to make sure that the animals taken in by DARE, Inc. for re-homing purposes are cared for in a humane way since these dobermans are, perhaps, the most vulnerable of our breed.

In her grievance letter Ms. Conigliaro says:

"The next morning, I received word from a number of fellow rescuers that Ms. Fierro had sent messages to several people, indicating that she intended to report DARE, Inc. to as many humane and animal control agencies as she could locate in Maryland. I

immediately responded directly to both Ms. Fierro and Ms. Ryan-Shaw that the dispute that had occurred the previous day was clearly a breach of contract issue between a breeder and a co-owner and should not involve the rescue organization in any way (see Attachment A for the email message). I received no response from Ms. Fierro; Ms. Ryan-Shaw's response is attached (see Attachment B).

I heard no more on this issue until a week or so later, when both Ms. Wilds and Ms. Hildebrand received surprise inspections from their local animal control” agencies.”

Faced with a complaint that the president of her corporation (and a foster home) might be in violation of Maryland law, Ms. Conigliaro had a duty to investigate the allegations further. As soon as Ms. Conigliaro received the aforementioned e-mails, she should have, but didn't investigate further and to initiate an appropriate course of action.

Furthermore, this is not the first time Ms. Conigliaro has seen allegations relating to the conditions of the animals at the Wilds residence. An incident occurred on January 3, 1998 involving Sharon Schiele and Becky Johnston who are members of the Delaware Valley Doberman Pinscher Assistance, DVDPA. Certainly a second complaint against the same person in her rescue group should have immediately raised a red flag with Ms. Conigliaro. In not following through, Ms. Conigliaro was negligent in her responsibility both as a corporate officer, and as an individual.

In her grievance letter, Ms. Conigliaro states:

“(2) Ms. Wilds is indeed a DARE foster home and she is the president of DARE. Ms. Wilds' home is not the epitome of housekeeping. It is always dusty, she always has laundry to put away and it always need to be vacuumed. However, I can assure you that there are no "feces and garbage" strewn about. This is an outright lie. I have attached letters from many DARE volunteers who have visited Ms. Wilds' home over the last year (Attachment D). These letters will clearly demonstrate that while Ms. Wilds could certainly be a better housekeeper, she does not abuse or neglect animals” (Page 2, paragraph 2)

It is significant to note that Ms. Conigliaro is especially careful in her use of terminology, *i.e.*, she specifically does not use the term “animal cruelty,” but is careful to use the words ‘abuse’ and ‘neglect.’ Her statements implying that the physical conditions at the Wilds residence -- the need to dust, fold laundry and vacuum would appear to be designed to mislead the Board in believing that Ms. Wilds merely has a minor housekeeping problem. On the other hand, if Ms. Canigliaro truly believes this to be the case, then she has significantly lower sanitary standards than Prince Georges County and the American Kennel Club. Furthermore, Ms. Conigliaro provides incomplete information related to the animals control agency visit:

“the other visit resulted in several recommendations, most specifically the reduction of a

number of dogs in the foster home.” (Page 1, paragraph 4)

In addition to requiring Ms. Wilds to reduce the number of animals she had on her premises, Prince George’s Country Animal Management also issued fourteen notices of violation and fined Ms. Wilds eight hundred and fifty dollars for animal cruelty and unsanitary conditions.

Documentary Evidence relating to Animal Control Inspections:

The letter of Ms. Judy L. McClain (Attachment 2), Prince Georges County SPCA Coordinator dated April 30, 1999 states:

"On February 10, 1999 I received a complaint at the same address from someone in the neighborhood who was concerned about health code violations due to the strong smell of dog feces and urine which could be smelled several house away. (Paragraph 2)"

“Animal control did respond on March 10th and found several violations. They issued tickets for cruelty, unsanitary conditions, and failure to obtain license; fines totaling \$850. The investigation is still on going.”(Paragraph 4).

A letter from Mr. George Whiting, Associate Director of the Animal Management Division of Prince Georges County Government (Attachment 3), dated April 30, 1999 further corroborates the conditions at the Wilds residence:

"Based upon the request from the Commission, two other complaints and a follow-up to a previous investigation in February, Animal Management Division visited the location on March 10, 1999. Conditions were found to be unacceptable under County law and 14 notices of violations were written. On March 31, 1999, an attempt to contact for a recheck was unsuccessful and from appearance and odor coming from the property, conditions had not been improved. On April 13, 1999 further attempts were made to contact the owner unsuccessfully. Fecal matter was observed and conditions appeared to be unimproved. An Animal Control Officer made contact with the owner on April 30, 1999. Some conditions had been corrected." (Paragraph 1)

Additionally, Mr. Whiting notes that there was a request from the Commission and two other complaints besides mine, plus they were doing a follow-up to a previous investigation. Clearly, the conditions at the Wilds residence were such that they had been reported by three other individuals prior to my complaint, and that she had been under investigation for sometime. Certainly, urine and fecal odors which could be “smelled several houses away” in the middle of winter are hardly the result of dust, laundry or failure to vacuum.

Mr. Whiting also states:

'To date, no Notice of Appeal has been filed with the Commission of Animal Control regarding the violations issued. (Paragraph 2)

Under the ordinances of Prince George's County, Animal Control - Subtitle 3, Sec. 3-117 entitled: "Elections available to person receiving citations" (Attachment 4), Ms. Wilds had the following options available to her, but did nothing .

Subtitle 3- ANIMAL CONTROL, Sec. 3-117 Election available to person receiving citation:

(a) A person receiving an Animal Control violation notice or citation must elect one of the following:

(1) To pay the fine provided for in the citation to the Administrator within ten (10) days of receipt of the violation notice or citation: or

(2) Within ten (10) days of receipt of the citation, submit a written request for a hearing and for dismissal of the citation by the Commission: and to pay the fine should the Commission fail to dismiss the citation.

(3) The failure of the person charged to note a timely appeal to the Commission or to pay the amount of the civil penalty within the time for appeal shall constitute an admission of liability for the amount of civil penalty.

Ms. Wilds has neither paid the fines, nor has she appealed the citations.

Documentary Evidence relating to AKC Inspections:

On May 24, 1999 Mr. William Hughes, Director of the Investigation and Inspection Field Staff of the American Kennel Club sent a letter (Attachment 5) to Ms. McClain of the Prince George's County Humane Society which states the following:

"Following is the name of an individual whose kennel was inspected recently by an AKC Inspector and which, in his/her opinion, had poor sanitary and/or health conditions.

Teresa Wilds
4611 Burlington Road
Hyattsville, MD 20781-2215"

The letter goes on to describe the conditions observed:

“Our inspector reported the overall appearance of Ms. Wild’s kennel is junky and cluttered. The outside kennels have a dirt floor and were muddy on the date of inspection. The backyard where the dogs are exercised has no grass and was littered with trash. The majority of Ms. Wilds dogs have crates in the basement and are exercised in the backyard and then put in outside chainlink kennels. The kennels and the yard had accumulated fecal matter and needed cleaning.

"We are forwarding this information to you, in that the AKC's jurisdiction is limited to practices that one must follow to insure proper identification and record keeping of the dogs registered with the American Kennel Club.

We trust that your agency will look into the conditions at this kennel."

Documentary Evidence relating to the condition of Ms. Fierro's puppy:

Ms. Conigliaro states in her grievance letter (page 2, paragraph 4):

"(4) This paragraph is a collage of outright lies. I have seen Cruiser many, many times. As you read through the attached letters from other DARE volunteers, you will see Cruiser described as a happy, well adjusted, pudgy little boy. It should be noted that the tattoo number Ms. Fierro references is incorrect. I have attached a photograph for your review as well (see Attachment E). I am disgusted that Ms. Fierro would print such blatant lies about the condition of the puppy."

A letter from Dr. T.W. Stranglien, attending veterinarian, dated May 21, 1999 (attachment 6), describes the condition of my puppy one day after leaving the Wilds residence:

"Cruisers weight was 54# and he appeared thin, he was not using his left hind leg completely, his skin and coat condition appeared irritated and possibly infected, ears were dirty and a piece of his left ear was missing, his temperature was 101.6."

"Upon my examination, Cruiser's left hind leg seemed to have underdeveloped muscle mass as in comparison to his right hind leg. The left hind leg seemed to be moderately painful;"

"Cruiser's weight was below normal for this breed and age animal. A fecal examination revealed Roundworm and Hookworm present"

In summary, Ms. Wilds was inspected by two different agencies on several occasions over the period of approximately one and a half months. As a result, she was cited for fourteen violations

of Prince George's County Maryland law, specifically animal cruelty and unsanitary conditions, and the AKC inspector was concerned enough about Ms. Wilds' animals that a recommendation was made by the AKC to the Prince George's County SPCA/Humane Society to "look into conditions at this kennel." Additionally, Ms. Wilds was negligent in the care of my puppy placed with her on a trial basis.

Clearly, there was far more wrong at the Wilds residence than what Ms. Conigliaro contends are minor housekeeping problems, or that "this particular home was overloaded with Doberman Pinscher foster dogs" In fact, one of the worst "wrongs" was taking place --- cruelty--- which is defined by the SPCA as something which causes pain and suffering to animals, and in violation of Maryland law.

Under the Code of Maryland - CRIMES AND PUNISHMENTS - Cruelty to Animals:

s 59 Cruelty to animals a misdemeanor.

(a) Cruelty. -- Any person who

(1) overdrives, overloads, deprives of necessary sustenance, tortures, torments, or cruelly beats; or

(2) causes, procures or authorizes these acts; or

(3) having the charge or custody of an animal, either as owner or otherwise, inflicts unnecessary suffering or pain upon the animal, or unnecessarily fails to provide the animal with nutritious food in sufficient quantity, necessary veterinary care, proper drink, air, space, shelter or protection from the weather; or

(c) Customary and normal veterinary and agricultural husbandry practices. -- Customary and normal veterinary and agricultural husbandry practices including but not limited to dehorning, castration, docking tails, and limit feeding, are not covered by the provisions of this section. In the case of activities in which physical pain may unavoidably be caused to animals, such as food processing, pest elimination, animal training, and hunting, cruelty shall mean a failure to employ the most humane method reasonably available. It is the intention of the General Assembly that all animals, whether they be privately owned, strays, domesticated, feral, farm, corporately or institutionally owned, under private, local, State, or federally funded scientific or medical activities, or otherwise being situated in Maryland shall be protected from intentional cruelty, but that no person shall be liable for criminal prosecution for normal human activities to which the infliction of pain to an animal is purely incidental and unavoidable.

DARE, Inc. is a corporation in the State of Maryland, and Ms. Conigliaro is an officer in DARE, Inc. Trustees and officers of corporations are responsible for acts or omissions that involve intentional misconduct or a knowing violation of the law by organization, and hence, had a legal responsibility to ensure that DARE, Inc's foster homes were operating within the law.

Aside from her legal obligations, Ms. Conigliaro has a moral and ethical responsibility not to violate the trust placed in her by the rescue community, the people who placed dogs with DARE, Inc for re-homing, and most importantly the trust of the rescue dogs who are most in need of our protection. She has egregiously failed in this obligation, and in doing so, Ms Conigliaro has also violated the DPCA Constitution in failing to preserve and protect the breed and violated Number 2 of the Code of Ethics.

II. DPCA Code of Ethics: 14. " All members shall conduct themselves at all times in such a manner to reflect credit on the sport of purebred dog showing and Doberman Pinschers in particular. This includes respect for the show site, convention and overflow facilities, and all other aspects of responsible dog ownership."

Specific charge: That Ms. Conigliaro knew, or should have known that Ms. Wilds been cited for fourteen counts of animal cruelty and unsanitary conditions when she filed the grievance against Ms. Fierro. Thus, Ms. Conigliaro used the DPCA grievance process in a manner that was malicious and/or reckless.

Ms. Conigliaro had more than a month and a half month after the first visit by Animal Control to the Wilds residence on March 10, 1999 to determine whether or not Ms. Wilds was in fact cited for any violations before she filed her grievance. There are two possible situations presented here: (a) Ms. Conigliaro knew that Ms. Wilds has been cited for cruelty and unsanitary conditions in when she filed her grievance, in which case it is malicious, or (b) Conigliaro (despite her vigorous defense of Ms. Wilds) never bothered to check with Prince George's County Animal Management/SPCA before filing her grievance in which case her grievance is reckless.

I believe the evidence contained herein is more than sufficient for the Board to dismiss Ms. Conigliaro's grievance against me. If the Board concurs, a letter stating so would be very much appreciated since my integrity and reputation have been damaged as a result.

Conclusion:

I have been involved with Doberman Pinscher rescue since 1982 and have been a member of the Doberman Pinscher Club of American (DPCA) for approximately 20 years. I strongly believe that every member of the Doberman Pinscher Club of America has the sworn responsibility to "preserve and to protect the breed." By reporting animal cruelty, I have done just that and make no apologies for my actions. The SPCA has even commended me for actions on behalf of the dogs at the Wilds place.

Thus, I hope that the Board will look into Ms. Conigliaro's role in this matter. By way of her strenuous defense of Ms. Wilds, Ms. Conigliaro has demonstrated that she clearly "doesn't get it" with respect to the manifest conditions of the animals at the Wilds residence. Thus, she

fully deserves the censure and condemnation of the membership of the DPCA. I respectfully request that the Board consider whether DARE, Inc. be suspended from any further COPE/Rescue support and that the names of it's members and their links be removed from the COPE/Rescue directory and web-site.

If there is anything else that I need to do at this point in time, kindly notify me immediately. Thank you in advance for your anticipated consideration.

Sincerely,

Rose Anne Fierro

Attachments:

- 1/ Dee Ryan Shaw letter dated February 24, 1999
- 2/ Letter from Ms. J. McClain, SPCA Cruelty Coordinator dated April 30, 1999
- 3/ Letter from Mr. G. J. Whiting, PGC Government, Animal Control dated May 6, 1999
- 4/ Prince George's County, Animal Control - Subtitle 3, Sec. 3-117
- 5/ Letter from Mr. William Hughes, American Kennel Club dated May 24, 1999
- 6/ Letter from Dr. T.W. Stranglien dated May 21, 1999
- 7/ Code of Maryland, Code of 1957, Article 27. I Crimes and Punishments Cruelty to Animals