

# Leo's Law



*Kathleen Flynn had no idea what she was about to get into when she agreed to help a friend with a spay/neuter booth at their local flea market in San Jose, California last year. What she saw that day drove her to launch a campaign that would change the laws that govern selling animals at flea markets.*

## ► **By Kathleen Flynn**

It was a stiflingly hot day in March. Walking over the blacktop surface made it even hotter. As I went through the gate, I heard birds chirping. I didn't think much of it until I found myself walking by hundreds of birds in cages that were overcrowded and filthy. There was no food or water, and the cages were pulled out into the sun, so that the birds could be displayed better.

Further down the aisle, there were other animals in the same conditions as the birds. Then, at the end of the aisle, I passed one last booth of birds for sale and saw a beautiful parakeet fall to the bottom of its cage, dead. I saw a police officer patrolling, who told me to call animal control, or the humane society. I was really shaken up, and very angry.

I went into the pavilion and asked all the rescuers how they could walk by what I had just seen and not do anything about it. After all, I was just a small business owner with two cats, but they were supposed to be animal rescuers. They, in turn, told me about all the sick and dying animals they had bought from these vendors, over the past 25 to 30 years and nursed back to health.

One rescuer explained that our local animal control service was understaffed, under-funded, and overworked. She told me about one vendor who charged the public huge surrender fees, and then sold the animals for a few dollars here at the flea market. I agreed to go to this vendor's stall. It was there that I met Leo.

Leo was a beautiful, underweight, orange, Persian cat. His golden eyes were glazed with fear. He was crouched up against the back of his cage, hissing.

At first, I was scared of him, but as his eyes met mine, I knew I had nothing to fear. He was just very frightened. We walked out with Leo in a cardboard carrier. I remember looking into his eyes as we dropped his matted body into this carrier. They became gentle, fearless, and filled with peace.

At the St. Francis of Assisi Animal Rescue Clinic in San Martin, I asked them to take before and after pictures of Leo, and to document his condition and health problems so that I could turn this documentation over to authorities. Assistant vet tech Joy Baker and her husband, Tom, ended up falling in love with Leo and taking him home.

On Monday, I faxed our council a letter describing my experiences at the flea market.

I didn't know that God was about to send me so many angels to help me in what I was undertaking. The first one was

Councilman Diquisto. He phoned me and asked me to appear before the council because he too had been at a local flea market and had seen worse abuse than I had.

My appearance at the council led me to meet a second angel, the Deputy Director of Code Enforcement, Stephen Emslie. We spent the next 14 months together, working, arguing, and regulating the flea market. It became apparent to both of us, after 12 months of trying, that there simply was no real way to get these abuses under control with the small staff available to him. There were just too many vendors and too many ways for them to get around existing laws. So, in April of this year, Emslie brought before the council the Temporary Urgency Ordinance, to ban the outdoor sale of animals in San Jose.

My third angel was a new councilman named Forrest Williams. He was very vocal about the need for this law. My own councilman, John Diquisto, was just as adamant. Our excellent mayor and council voted unanimously to pass it. Forty-five days later, this ordinance went into permanent law. Our new Animal Services Deputy Director, Gary Ruckle, has been making strong, diligent efforts to enforce it.

The night the ordinance passed, I cried for hours with relief. It had been a long, hard road. I felt so grateful to all the people who had made this possible, and I knew I would never have to walk into the Bakers' house ever again, look into Leo's eyes, and know others were out there suffering like he did. I went to the Bakers that night, saw the love in their eyes, and held Leo in my arms. I could feel his heart beating against me. I felt his soft purr, and I felt such peace, for the first time in 18 months.

**Kathleen Flynn became the founder and executive director of Dedicated Animal Rights Educators Inc.**

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