

January 9, 2024

## Saline Animal League Statement on City Actions

### **Saline Animal League was never in “noncompliance” with Missouri Department of Agriculture.**

On January 5, 2024, Saline Animal League (“SAL”) was served a notice of termination seemingly terminating its lease of the building located at 325 N. Grant Ave., Marshall, MO, and the memorandum of understanding dated March 16, 2020.

This was not the first time the City terminated its memorandum of understanding with SAL. Effective October 1, 2023, the City terminated its original memorandum of understanding with SAL. SAL President Danita Phillips informed the Missouri Department of Agriculture (“MDA”) of the City’s termination of the agreement with SAL on October 6, 2023.

The City’s October decision to terminate SAL was met with significant concern from the community. After a “Listening Session” with members of the community held on October 17, 2023, the City expressed renewed interest in working toward a new, mutually beneficial agreement with SAL to operate the shelter. To that end, SAL and its attorneys negotiated in good faith for nearly 12 weeks with the City and the City continued to avail itself of SAL’s services well beyond the original effective date of termination. SAL entertained the City’s proposed terms of agreement and prepared multiple proposals for the City’s consideration.

Those negotiations abruptly ended Friday, January 5, 2024, when, simultaneously and in a well-coordinated effort, Mayor Vince Lutterbie served Disa Farris of SAL with written notice of the termination, while armed police officers appeared at the shelter to serve the same notice and to remove staff and volunteers from the premises.

It is undisputed that at some point between October 6, 2023, and January 5, 2024, the City of Marshall became aware of the October 6, 2023, communication from SAL to the MDA informing the MDA of the City’s October notice of termination. Not once after the City became aware of the SAL communication with the MDA, did it reach out to SAL for clarification or explain to the MDA that the October termination deadline was extended by the City.

“The City took advantage of a clear miscommunication with the Department of Agriculture, from a situation the City itself created by terminating our agreement in October, to then move in and abruptly gain control of the animal shelter,” says Danita Phillips, President of SAL.

Despite the City of Marshall’s allegations, the Missouri Department of Agriculture echoes that there was a miscommunication, not a compliance issue. “To be clear, the license was not revoked or some other type of compliance or enforcement action initiated by our program.” (letter from Matt Rold to SAL dated January 5, 2024, attached). Even with this information, the City of Marshall continues to make false statements to the media and in other public forums about SAL’s status with the MDA.

The decision to remove SAL from the premises was made behind closed doors in violation of the Missouri Sunshine Law. "This is not the wild west; the City does not get to make decisions about the tax payer funded animal shelter in secret," said Phillips.

SAL attorney Katie Barnett, an animal law specialist, said this is the most egregious action by a local government against a shelter that she has ever seen. "This decision from the City of Marshall is short sighted at best, and unlawful at worst."

"The issue is squarely on the City to rectify and to rectify quickly," said Barnett.

SAL is exploring all legal options both civilly and administratively for the unlawful actions of the City of Marshall.

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