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Section: NEWS

Frustrated volunteers shoot emus: SPCA, police express shock at killing of birds
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RED OAK

Volunteers who had been moving a flock of emaciated emus ended the day Thursday by shooting a half-dozen of them, saying it was more humane than putting them through the stress of a roundup and shipment to a new home.

"We saved over 100 birds, and we sacrificed the last . . . so they would not go through what that one did," said rescue leader Joe Schreibvogel, pointing to a bird that he said had died from the stress of being wrangled. "We're hurt, and we're tired, and now we're responsible."

Police and SPCA workers said they were appalled by the shotgun shootings and had tried to dissuade Mr. Schreibvogel and Jim Claytor, who are both with the wildlife rescue service Nature's Hope.

"You can't do something like that and explain it away," said Red Oak Police Chief Doug McHam. "Nobody is that silver-tongued. You can't come out here and say, 'I'm going to save all these birds,' then say, 'I've got to kill them because I'm getting tired.' "

But it is legal to kill livestock, so there was nothing authorities could do as long as the killings were quick and humane. Police even lent the men the shotguns, the chief said, figuring the guns were more likely to kill the birds instantly than the small-caliber weapons the volunteers discussed using.

Bobby French, lead investigator for the SPCA, said he finally halted the shootings after one of the men shot a bird that was running, leaving it wounded. Mr. French said he then ordered the men to finish the bird off.

A videotape he took of the incident showed the two men slowly approaching the large birds, then shooting them one by one. Some of the birds dropped instantly; others flopped and jumped, requiring several shots.

Mr. Schreibvogel took legal possession of the flock on Wednesday, two days after authorities found at least 69 dead and decaying emus and 100 to 200 emaciated survivors in a large pen off Interstate 35E and Red Oak Road.

Their former owner, housing developer Kuo-Wei Lee of Plano, said he had shot the 69 birds last week because he couldn't afford to feed them anymore. He said he stopped short of killing them all because he couldn't take it. The birds remained unburied because of machinery breakdowns and bad weather, he said.

A veterinarian who examined some of the carcasses said the birds had starved, and feathers in the stomachs of some proved they had been cannibalizing each other. Mr. Lee has said he underfed the birds intentionally to stretch the expensive food supply.

Mr. Lee, 49, has been charged with one count of animal cruelty. He was arrested and freed Wednesday on \$7,000 bond.

The same day, Mr. Schreibvogel and several volunteers began loading the surviving hundred or so birds onto trailers to go to a temporary home on a ranch at Tolar, about 50 miles southwest of Fort Worth. The plan was to eventually move the birds to a sanctuary that Mr. Schreibvogel's family is establishing in Oklahoma.

However, the roundup involved chasing and roping the birds, which injured a few and stressed others so much that they lay in the trailers, where other agitated birds slashed them with their talons, rescuers said. Nine birds died Wednesday, fewer than the SPCA's count of 15, Mr. Schreibvogel said, while 60 or so arrived at the Tolar ranch almost bare of feathers because of stress.

On Thursday, after some argument between the rescue group and the SPCA, it was agreed that the birds would be loaded gently and that any injured birds would be humanely killed on the site rather than remain on the trailers.

The rancher in Tolar, Charles Lawhon, has agreed to keep the birds for at least several months. Mr. Schreibvogel said all donations on the birds' behalf would be passed on to the rancher.

The Thursday roundup began quietly and efficiently, with volunteers slowly coaxing the birds onto trailers as SPCA representatives watched.

By midafternoon, about 50 birds had been loaded and sent to the Tolar ranch, but several more were injured. At that point, Mr. Schreibvogel said, he believed the SPCA and police were pressuring him to move the birds quickly. Chief McHam and Mr. French denied that. However, Mr. Schreibvogel decided to shoot the remaining birds.

After the shooting, about a half-dozen emus and six ostriches remained. One escaped and was still wandering in

the median of Interstate 35E at Ovilla Road about 6:30 p.m. with police chasing it.

A local woman will take care of the few emus remaining in Red Oak until Sunday, Mr. Schreibvogel said.

"We need some professional help and some professional homes Sunday to take the last six emus and ostriches," he said tearfully.

He and Mr. Claytor said they believed people would support their decision to shoot the birds.

"Those who know what this is about will understand," Mr. Claytor said.

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---- INDEX REFERENCES ---

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OTHER INDEXING: (RED OAK; RED OAK POLICE; SPCA) (Bobby French; Charles Lawhon; Claytor; Doug McHam; French; Frustrated; Jim Claytor; Joe Schreibvogel; Kuo-Wei Lee; Lee; McHam; Nature; Schreibvogel)

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Section: Metro / South Texas

Emu 'rescuers' are criticized for shooting starving birds

RED OAK - Frustrated rescuers assigned to save a flock of emaciated emus instead abandoned the roundup and fatally shot six of them, adding to dozens of earlier deaths among the flightless birds.

Police and officials with the Society for the Prevention of Cruelty to Animals say they're appalled the birds were shot. But rescue leader Joe Schreibvogel said it was more humane than putting them through the stress of a roundup and shipment to a new home.

"We saved over 100 birds, and we sacrificed the last ... so they would not go through what that one did," Schreibvogel said, pointing to an emu he said died from the stress of being captured. "We're hurt, and we're tired, and now we're responsible."

Police and SPCA workers said they tried to dissuade Schreibvogel and Jim Claytor, both of whom are with the wildlife rescue service Nature's Hope, from shooting the birds with shotguns Thursday.

"You can't do something like that and explain it away," Red Oak police chief Doug McHam said. "Nobody is that silver-tongued. You can't come out here and say, 'I'm going to save all these birds,' then say, 'I've got to kill them because I'm getting tired.'"

Bobby French, lead investigator for the SPCA, said he halted the shootings after one of the men shot and wounded a bird that was running. French said he then ordered the men to finish the bird off.

A videotape he took of the incident showed the two men slowly approaching the large birds, then shooting them one by one. Some of the birds dropped instantly; others flopped and jumped, requiring several shots.

Jennifer Casey, an SPCA spokeswoman, said the group plans to file criminal charges Monday against Nature's Hope for killing the birds.

"We had every intention in the beginning to think they were reputable animal rescue experts," Casey said Friday. "We found out this rescue group was basically just a band of volunteers that were trying to rescue animals that they knew nothing of."

Schreibvogel took legal possession of the flock Wednesday, two days after authorities found at least 69 dead and decaying emus and 100 to 200 emaciated survivors in a large pen off Interstate 35 on the outskirts of Red Oak, about 20 miles south of Dallas.

Their former owner, housing developer Kuo-Wei Lee of Plano, said he had shot the 69 birds last week because he couldn't afford to feed them anymore.

Lee has said he underfed the birds intentionally to stretch out the food supply. Lee, 49, has been charged with one count of animal cruelty. He was arrested and freed Wednesday on \$7,000 bond.

The same day, Schreibvogel and several volunteers began loading the surviving hundred or so birds onto trailers to go to a temporary home on a ranch at Tolar, about 50 miles southwest of Fort Worth.

The plan eventually was to move the birds to a sanctuary that Schreibvogel's family is establishing in Oklahoma.

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