

ATLANTA HUMANE SOCIETY SUES INTERNET CRITIC

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The Atlanta Humane Society recently filed a lawsuit alleging an individual defamed the organization and executive director Bill Garrett in writing on a Yahoo Internet group and by e-mail.

According to the lawsuit, a copy of which was obtained by Newsbytes, Kathi Mills referred to Garrett as "Mr. Kill" and the "figurehead president of the Humane Association of Georgia." She said she was personally withdrawing her support from the organization until, "they get a leader who does not delight in slaughtering pets for fun and profit."

In another post, Mills allegedly wrote, "Bill Garrett is not worthy to lick the dog or cat poop off our shoes. He is evil and it is time for the Atlanta rescue community to unite in ending his long and tragic career not only at AHS, but in every pet-related capacity."

Plaintiffs contend that, "each of said statement(s) with respect to Atlanta Humane Society and Bill Garrett is materially untrue and hurts the Atlanta Humane Society and Bill Garrett." The suit asks for a minimum of \$75,000 in damages.

Both parties insist they hold the moral high ground in this case.

Garrett, who has been with the Atlanta Humane Society for 27 years, said his reputation has been damaged. Mills, a Web content writer from Lawrenceville, Ga., told Newsbytes she reacted after watching a "whistle-blower" report on a local Atlanta television station last November.

In the report, which aired on WSB-TV, former employees of the Atlanta Humane Society accused the AHS of several acts of wrongdoing, including allegedly inflating adoption figures and lying about its performance in anti-cruelty investigations.

Mills said she belongs to a Yahoo group called "Atlanta Rescue," which is not open to the public.

"It is a restricted membership group, and you must apply for membership," she explained. "We have 186 members, all of whom rescue animals in the Atlanta area."

According to Mills, members of the group can post messages to other members, who receive them one of three ways; each posting is forwarded via e-mail as it occurs, a digest of e-mails is sent at the end of each day or the member goes to the Web site to view the postings.

"After the TV report, there was quite a buzz on the Atlanta Rescue group. Many of us suspected something was wrong down at AHS, but we could not put our finger on it."

Mills insists she did nothing wrong by making comments to the other members of her group. "We're not sure who provided the e-mails to AHS. We're also not sure why I was the one picked for the lawsuit," she said. "My comments were colorful, but they were not the most brutal."

In Bill Garrett's eyes, Mills' words damaged him and the Atlanta Humane Society, and were intended to do so. He said defamation is defamation, whether it occurs in a newspaper or on the Internet.

"She said, 'this person should be driven from this field.' She said I enjoy the slaughter of animals, and I do it for money," said Garrett. "I've put a quarter century in this field. Now I know that and \$3 will buy me a cup of coffee at Starbucks, but I have a good reputation, and it has been damaged."

"I stand by my comments," said Mills. "I would like the AHS to address the issues I and others in the rescue community have raised. Not by filing lawsuits, but by fixing the problems at the shelter."

According to Mills, these "problems" include not spaying or neutering animals before adoption, which she said contributes to pet overpopulation. "Most rescue groups do this," she said.

Mills also called for the Humane Society to work with rescue groups and give them an opportunity to rescue animals before killing them. She said rescue groups have a limited opportunity to do so. And, she added, the AHS does not allow the public to adopt from the Fulton County animal control facility.

Garrett said Mills distributed her views to thousands of people via e-mail, and she posted them on her Web site. He said many people in various cities across the United States forwarded Mills' e-mails to him.

"She was carrying out an e-mailing campaign," he said. "We feel we've been unjustly maligned. We're saying it's time to seek redress by trial by jury. Enough is enough. Not everyone is a multimillionaire, sometimes all we have is our name, and our name does mean a lot to us."

Megan E. Gray, a Los Angeles, Calif.-based attorney and expert on First Amendment and Internet law, said a judge probably will dismiss the suit.

"This woman has gotten under Garrett's skin, and rightfully so, but a legal wrong has not been committed that can be addressed in a lawsuit," said Gray after reviewing the suit.

"She expressed her opinion, and whether or not he agrees with it or it hurts his feelings, she has that right," Gray continued. "The defendant will easily rebuff this lawsuit, because it does not address facts."

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