

## **Kill the Cat That Kills the Bird?**

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Last summer, even as he talked about facing jail time, Jim Stevenson couldn't stop looking for birds. "There's a couple yellow-crowned night herons," he said, pointing out his living-room window. "They roost in that chinaberry tree." He rested his eyes on the blue-gray birds. "Anyway, the cops pulled me over and searched my van and found the gun, and —" A movement caught his eye. "Roseate spoonbill. And there's a male orchard oriole."

Stevenson is a bearish, ruddy-faced 54-year-old former science teacher who is known as the ornithological guru of Galveston, Tex. Ten years ago, he moved to this Gulf Coast barrier island because of its abundant shorebirds. Enormous flocks of American avocets, willets, sanderlings, dowitchers and plovers feed in the shallow, fertile estuary of Galveston Bay. Stevenson built his house amid a clump of trees so he could always be watching birds; he lives in a bird blind. Birds are his obsession and his profession. He is the director of the Galveston Ornithological Society and publisher of the quarterly newspaper Gulls n Herons. For money, he leads bird-watching tours.

Stevenson apologized for the paucity of species that day. "This part of summer you don't have a lot of migration," he said. "There's still plenty to see, though. We go out tomorrow, I'll load your wagon."

By that he meant he would show me birds I could tick off my life list. Serious birders compile a list of every species they have seen in their lifetimes. I hadn't come to Galveston to load my wagon, though. I had come to find out why Jim Stevenson had become the most notorious cat killer in America.

The story went something like this: On the evening of Tuesday, Nov. 7, 2006, Stevenson took a break from watching the election returns to look at some birds at San Luis Pass, a ripply channel connecting Galveston Bay to the gulf. Stevenson parked his white Dodge van with "Galveston Ornithological Society" bannered on its side, near the end of the San Luis Pass bridge, a tollway that connects Galveston Island to Follets Island. He found a spot in the low grass-speckled dunes and waited. Soon enough, he saw a handful of piping plovers, a federally listed endangered species. Then he saw something else: a scraggly cat stalking the plovers. A colony of about a dozen feral cats had been sleeping under the bridge. The cats liked to wander into the dunes for the same reason Stevenson did: the birds.

"Piping plovers are tame, abiding little creatures," Stevenson told me. "They roost in the dunes and can't see or hear a cat creep up on them."

Stevenson said he tried to protect the birds by capturing the cat. He failed and returned home frustrated. Late that night, he worried the problem. "The American taxpayers spend millions of dollars to protect birds like piping plovers," he said, "and yet here are these cats killing the birds, and nobody's doing anything to stop it."

The next morning, Stevenson decided to act. He loaded his .22 rifle in the van and took off for San Luis Pass. He spotted the same cat under the bridge. Stevenson put the animal in his sights and pulled the trigger.

"The cat dropped like a rock," he said.

Up on the bridge, a tollbooth attendant named John Newland heard the shot. Newland, a quiet man in his 60s, often fed the cats under the bridge. He called them his babies. Newland bolted out of his tollbooth and saw Stevenson's van. "I got you!" Newland screamed. "You quit shooting my cats!"

Stevenson fled, but the cops caught up to him near his house. A Galveston police officer cuffed him, read him his rights and threw him in jail.

With one shot of his rifle, Stevenson found himself cast as the Bernhard Goetz of birders. His cat slaying became a national flash point in the strange Sylvester-and-Tweety feud between birders and cat fanciers, which the resolution of Stevenson's case last month has done little to pacify. For more than 20 years, the two sides have exchanged accusations and insults over the issue of cats killing birds. Depending on whom you talk to, cats are either rhinestone-collared mass murderers or victims of a smear campaign waged by lowdown cat haters. The National Audubon Society has declared that "worldwide, cats may have been involved in the extinction of more bird species than any other cause, except habitat destruction." The American Bird Conservancy, a smaller, feistier group, runs a campaign to persuade cat owners to lock up their pets.

Cat defenders respond: They're cats! They chase birds.

Much of the controversy focuses on the nation's population of 50 to 90 million feral cats (exact figures are impossible to ascertain), former pets and their offspring that live independent of humans. Feral cats may not have owners, but they do have lobbyists. Alley Cat Allies, a national organization founded by an ex-social worker named Becky Robinson, harnesses a fierce coalition of celebrities, cat experts and feral-cat-colony caretakers to fight for the rights of wild cats. Her allies include Roger Tabor, a leading British naturalist; Jeffrey Masson, the outspoken author of "The Nine Emotional Lives of Cats" and "When Elephants Weep"; and, fittingly, Tippi Hedren, the actress best known for starring in the 1963 Alfred Hitchcock thriller, "The Birds." Which, as you will recall, was a film in which Hedren spent two hours dodging attacks by murderous birds.

Both sides weighed in on Stevenson's shooting. Cat advocates called him cruel and criminal. The blog Cat Defender ("Exposing the Crimes of Bird Lovers") labeled him the Evil Galveston Bird Lover. The president of the Houston Audubon Society condemned Stevenson's "illegal methods of controlling these animals," but other bird-watchers hailed his actions. One Texas birder, a fourth-grade science teacher, suggested that Stevenson be given a medal for his actions.

Like Goetz, who sparked a national debate when he shot four would-be robbers in a New York subway in 1984, Stevenson fired his gun during a time of heightened fear and anxiety. Bird populations are plummeting worldwide. Earlier this year BirdLife International found that 1,221 of the planet's 9,956 bird species were threatened with extinction, an increase of 35 species since 2006. Although hopeful stories like the 2004 purported sighting of an ivory-billed woodpecker — a species long thought extinct — tend to capture the public's imagination, the larger story is a depressing and seemingly inexorable march toward oblivion. In June, the National Audubon Society reported that an analysis of 40 years of data from its annual Christmas bird count showed an alarming decline in nearly two dozen once-ubiquitous American songbirds. Since 1965, the common grackle has lost 61 percent of its population. Eastern meadowlarks are down 72 percent; northern bobwhites, 82 percent.

The primary cause of those losses is well known. Habitat destruction — industrial and agricultural development and suburban sprawl replacing forests and fields — is by far the biggest threat to bird populations. What is less understood is the extent to which a complex combination of secondary factors contributes to the decline. Power poles electrocute tens of thousands of birds. Estimates of birds killed

in collisions with automobiles and glass windows every year run to the hundreds of millions.

Where cats sit in this continuum is a huge point of contention. Over the past 10 years or so, however, a growing body of research has implicated cats as a serious factor in the loss of native birds in specific habitats — mostly islands, often shorelines and sometimes inland areas. The World Conservation Union now lists the domestic cat as one of the world's 100 worst invasive species.

As a person fond of cats and fascinated by birds, I tracked the issue for years without joining either camp. Stevenson's situation seemed to present a perfect microcosm of the problem. Which was the higher ethical duty, to save the bird or leave the cat unharmed?

At the center of it stood Jim Stevenson, unrepentant and sure. "What I did was not only legal," he told me. "It was right."

What are our obligations to cats and birds? It's a tough question even for some cat advocates. Jeffrey Masson, a well-known Freud scholar as well as a cat fancier, faced the predicament a few years ago when he moved to New Zealand. "Our five cats started to hunt, as cats will," Masson told me recently. "Our neighbor, a bird enthusiast, was furious. 'Your cats are decimating these birds,' she told me, and I had to agree. But I didn't know quite what to do about it. True, the cats should not be here. But the cats were only doing what came naturally to cats."

Masson, like Jim Stevenson in Galveston, found himself caught in a classic squeeze between two equal but conflicting values: the rights of individual animals set against the health of the overall ecosystem. It's a battle that rages in philosophy departments across the country. "From an animal-welfare perspective, confining cats and shooting the cat, in the Galveston example, is wrong," says J. Baird Callicott, a philosophy professor at the University of North Texas. Callicott, a past president of the International Society for Environmental Ethics, taught one of the nation's first environmental ethics courses in 1971. He went on to say, however, that "from an environmental-ethics perspective it's right, because a whole species is at stake. Personally, I think environmental ethics should trump animal-welfare ethics. But just as personally, animal-welfare ethicists think the opposite."

Out of curiosity, I boiled down the Jim Stevenson case and sent it to a few environmental-ethics professors. Most agreed with Callicott: Shoot the cat.

"You're trading a feral cat, an exotic animal that doesn't belong naturally on the landscape, against piping plovers, which evolved as natural fits in that environment," reasons Holmes Rolston III, a Colorado State University professor who is considered one of the deans of American environmental philosophy. "And it trades an endangered species, piping plovers, against cats, which as a species are in no danger whatsoever. Suffering — the pain of the cat versus the pain of the plover eaten by the cat — is irrelevant in this case."

Ultimately, Jeffrey Masson sided with the animal-welfare school. Confining his cats indoors, he decided, would be unfair to the cats. "A cat needs to hunt to survive — that is, they have the instinct to hunt," he said. "Even if you could extinguish that instinct, should you? We already take their sexuality away. There are people who declaw their cats. How far do we take this before we completely destroy the animal?"