



2021 HUMANE AGENDA

Companion Animal Capital Fund

The Companion Animal Capital Fund has become a welcome and needed capital funding stream for animal shelters across New York State. The program has been funded in the state’s FY17-18, FY18-19 and FY19-20 budgets. We are incredibly thankful that, despite the fiscal hardship that the COVID19 pandemic have brought to the state, the awards made in late February 2020 have been fulfilled and contracts executed. We have been consistently told “the Fund is on everyone’s list.” This speaks to how important this funding has become to shelters across the state in just three short years.

The Federation is calling upon Governor Cuomo and the New York State Legislature to include the \$5 million Companion Animal Capital Fund in the FY21-22 state budget.

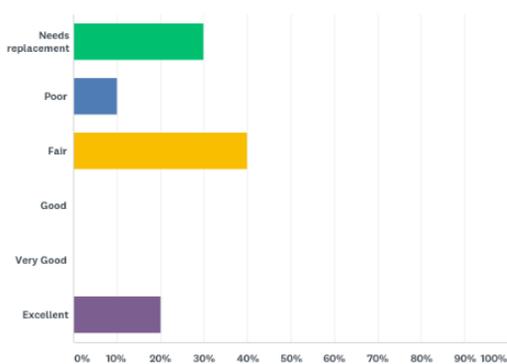
The Federation’s 2021 Capital Needs Assessment showed the capital needs at shelter across New York is \$59.9 million.

Animal shelters were designated as essential services/businesses when COVID hit and the state closed various sectors to protect public health. Our shelters were innovative during this time—enhancing cleaning protocols, protecting animals and increasing adoption rates through effective outreach and socially distanced adoption transactions. The Federation’s number one goal during this

difficult time was to educate shelters and keep them up to date on state mandates and advisories as well as national grant and educational opportunities.

With the FY19-20 awards, the State will have invested \$15 million at 38 animal shelters across New York. They, like all of us, are excited to make a difference in the lives of the animals in their charge by enhancing their physical plants. From new air handlers to cat condos and dog kennels to improved plumbing and sturdy roofs, this funding will enhance the quality of life of the thousands of animals who pass through the doors of these shelters as well as the work done by the dedicated professionals who care for these animals day in and day out.

Q3 What shape is your present building in?



Advance Pro-Active Legislation to Enhance the Lives of Companion Animals

- **Comprehensive Shelter Standards:** The proposed bill uses the Association of Shelter Veterinarians guidelines to improve shelter management and care. It will include, but is not limited to, setting standards for training, record keeping and reporting, physical plant, housing, sanitation, veterinary care, behavior care, euthanasia, transportation and inspection.
- **Stopping the Puppy Mill Pipeline:** This bill would stop the puppy mill pipeline into New York State. Instead of selling animals (puppies, kittens and rabbits) that come from breeding factories, pet stores would have the opportunity to rebrand as humane businesses and host shelter and rescue adoption events. In 2018, pet owners across the globe spent over \$72.5 billion on their animals. It is estimated that only 2% of those sales are for puppies, kittens and rabbits from mills. It is time for New York to say no to these mills which are actual factories. In the case of puppies, female dogs are placed in cages day in and day out purely to breed. They are impregnated. They deliver. Within weeks, they're impregnated again. When they are no longer "of use" to the puppy mill, they are usually euthanized.
 - The bill passed the Senate in the 2020 session but stalled in the Assembly Agriculture Committee.
- **Veterinary Reporting of Suspected Cruelty:** One way to continue to fight animal cruelty is to require veterinarians to report suspected cruelty to police or authorized SPCA humane officers.
- **Ban Insurance Discrimination in Pet Ownership:** Presently, insurance companies routinely deny homeowners and renters insurances to people who own pit bulls. This insurance discrimination has to stop—it just reinforces the negative stereotypes about pit bulls and keeps more of them in shelters rather than in loving homes.
- **Aggravated Cruelty to Animals, AGM 353-a: Amend definition of Serious Physical Injury:** As it currently stands, when proving aggravated animal cruelty pursuant to AML 353-a, one element that must be proven is that the animal suffered serious physical injury (SPI) or death.
 - The definition of SPI is the same definition that applies to human assault cases, Penal Law § 10.00(10). This section defines SPI as "physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ."
 - Proving SPI in human injury cases is often established through the testimony of the victim as to his or her ongoing symptoms, pain and/or other impairment as compared to a prior status.
 - Since such testimony is not possible for animals, requiring the same level of proof often results in the inability to prove SPI absent extreme injury (i.e. loss of a body part). The ASPCA can offer many case examples to illustrate some serious injuries where SPI would not be provable according to the PL definition.
- **Prohibit/restrict dogs in pickup trucks:** Many states, including ME, NH, MA, CT and RI, prohibit placing animals in the beds of pickup trucks. Some states cover all animals, while others just cover dogs. New York has no such law, and while AGM Section 359 does prohibit "carrying an animal in a cruel manner" (as do to a handful of other states), to our knowledge the NY statute is not expressly applicable to dogs or other animals riding unsecured in the back of pickups.
- **Lowering the sales threshold for home-based breeders from 25 to 15:** While the Pre-Emption Bill passed at the end of the 2013 session was a good start, it is clear that without pro-active measures on the state's part local governments are not going to move as quickly as hoped. Lowering the sales threshold to 15 will enable local governments to more effectively protect dogs by bringing disreputable breeders to justice. [A351 (Paulin)/S3830 (Metzger)]

Eliminate mandatory appearance tickets for felony animal cruelty and felony animal fighting crimes

- In order to seriously address felony animal cruelty (AGM Section 353-a) and felony animal fighting crimes (AGM Section 351), the Pre-Trial Justice Reform Act passed last year needs to be amended to exempt these crimes.
- Acts of animal cruelty can not only result in an animal's death or serious injury, but can also be intended to cause extreme physical pain or carried out in an especially depraved or sadistic manner. Given that such crimes can expose other forms of family violence and be one of the most visible parts of an entire history of aggressive or antisocial behavior, it is also important to retain the option of immediately charging and arraigning a suspect in these cases as well.
- In addition, animal fighting is very often associated with other forms of criminal activity, including illegal gambling, and drug and weapons trafficking. Probable cause is often established by way of the animal fighting statute. Therefore, an investigation into these offenses and the ability to immediately charge and arraign suspects can play a crucial role in revealing the true depth of the criminal enterprise.