



***NYSAPF is the voice of New York's humane societies, SPCAs, non-profit and municipal animal shelters, a growing number of rescues as well as animal welfare organizations which focus on homeless animals.***

## MEMO IN SUPPORT OF THE CREATION OF A \$2.5M ANIMAL CRIMES FUND

You've seen it in the news over and over. Another horrific animal abuse story, where it be a deliberate act of violence, or from rescues gone wrong, or from compulsive animal hoarding behavior. The most recent case came a in mid-January in Latham (Albany County), where 102 animals were living in squalor at a home that also doubled as an unregistered rescue. 16 deceased animals were also found.



Humane Law Enforcement from Mohawk Hudson Humane Society, which is the designated SPCA for both Albany and Rensselaer Counties, worked diligently with Town of Colonie Animal Control to transport these animals back to its Menands for veterinary and daily care.

**Data supplied on March 25, 2024 by Mohawk Hudson showed it cost the shelter \$303,957.25 for the first 30 days of care for those animals, including veterinary care. The shelter filed a bond petition and was granted just \$10,000 by the court. All but four of the animals were relinquished to the shelter at that point. Mohawk Hudson's legal fees for this was \$23,550.48. The Albany County DA said they were not responsible for representing Mohawk Hudson because the office saw it as a civil matter since almost all the animals were turned over to the shelter. If the defendants are found not guilty, the shelter has to return the \$10,000 bond.**

About half of these animals are still at the shelter receiving medical care. Many of the cats are still quarantined because of stubborn GI parasites and ringworm., The shelter anticipates at least one of the dogs will be in its care for at least another six months because his orthopedic ailments which need major surgical intervention. The rest of the animals have been adopted.

Unless the owner in a cruelty case voluntarily surrenders animals to a shelter for adoption, the cost of care increases based on how long the shelter will care for this live evidence before the criminal case is resolved.

Shelters across New York State either have their own humane law enforcement officers or work with local police agencies to protect animals whose owners are charged with animal cruelty crimes. They know all too well that holding owned animals – whether used as evidence or not – is vastly different than storing other types of seized property. A dog, cat, horse (or even a bull, in one case) cannot be packed away in secure storage. They require routine care like food and shelter, and many need veterinary care.

PLEASE TURN OVER

While a minority of shelters successfully use the security petition process in current law in an attempt to require accused abusers to pay these sheltering costs or convince a court to order them to surrender their animal(s), the overwhelming majority have found that process expensive and ineffective. There are some district attorneys who will assist a shelter in this regard but most will not, especially in rural areas where the shelter has to weigh providing care for the animals or paying a lawyer to prepare the petition and represent the shelter in court.

**Of the 18 cases reported to the Federation’s 2023 Animal Crimes Survey, the cost of care was \$373,618. The shelters only recouped \$69,521—19% of the total cost.**

In 2016, the ASPCA worked with the New York Police Department on seizing 73 animals from the small home in Queens of a mother and her daughter. The ASPCA spent \$421,739 on medical care and sheltering costs for those animals. It took 14 months to get a decision on the security bond and no restitution was ever received.

In 2010, when the SPCA Serving Erie County cared for 73 horses in an abuse case that stretched over four years, *the shelter spent \$1.6 million caring for this live evidence*. The shelter was reimbursed only \$620,724 by the owner—38% of the total cost of care.

**In consideration of this long-standing and costly problem, New York State Animal Protection Federation is asking the legislature to create a NYS Animal Crimes Fund. By allocating \$2.5 million to the FY25 budget for these purposes, the impact of such costs to eligible shelters could be significantly alleviated in all regions of the state.**

If we do not address this issue – especially as shelters and rescues begin compliance measures with the new facilities standards rapidly approaching at the end of 2025 – this problem will only get worse, especially in more rural parts of the state.

Below are some additional examples of animal crimes and the shelters’ cost of care.

Shelter	Year	Animals Cared For	Length of Stay	Cost of Care	Restitution
Hudson Valley Humane Society (Rockland County)	2021	24 Husky and Husky-mix adult dogs removed from small home	18 months	\$334,200	None
Pets Alive (Orange County)	2021	27 goats, 1 sheep, 1 duck seized, working with UCSPCA who seized 53 animals in total	14 months	\$194,725	None
Pets Alive (Orange County)	2022	2 sheep, 2 mini-horses and 1 mini-donkey seized	15 months	\$30,365	None
SPCA Serving Erie County	2022	2 sheep, 1 bull, 4 dogs, 1 chicken and 1 horse locked in a stock trailer/car hauler living in squalor in very poor condition	162 days-sheep, 100 days-horse, 177 days-dogs, chicken died day after seizure	\$14,852	\$3,400
ASPCA	2023	28 dogs seized	8 months	\$100,000	None
Finger Lakes SPCA (Steuben County)	2023	13 dogs (mostly Cane Corsos), 7 adults, 6 week-old puppies	11 months	\$85,000	\$23,195 (paid by county)
LollyPop Farm	2023	200 cats from hoarding situations	5 months	\$15,043	None