

## **NYSHA Supports Moving New York's Anti-cruelty Laws from Agriculture and Markets Laws to Penal and Criminal Procedure Laws**

### **[A.352 \(Rosenthal\) / S.3201 Lanza](#)**

Cases of animal cruelty not only generate some of the greatest public outrage and call for action, but also make us well aware of the link between animal crimes and violence against people. Considered a serious 'bridge crime,' law enforcement authorities are aware that most known serial killers began by torturing animals before escalating to human violence. It is critical that animal cruelty be treated as the serious crime it is, and that these cases are properly investigated and the appropriate laws are enforced.

In NYS, police are mandated to enforce Article 26 of the Agriculture and Markets (A & M) Law (which encompasses the majority of New York's anti-cruelty laws), however, currently law enforcement training focuses on Penal and Criminal Procedure Laws, not provisions related to animals. Therefore, NYSHA believes that the Penal Law is the appropriate location for animal cruelty statutes. Moving these statutes out of the A & M Law would put these crimes on par with other offenses, and help to streamline training, and the maintenance of statistical data.

For several years, many organizations have joined NYSHA in supporting legislation to move the animal cruelty statutes into the Penal Law. Bills have been repeatedly introduced in both houses of the State Legislature; however, we are greatly disappointed that they have failed to move through the state legislative process.

Despite the fact that animal cruelty statutes reside in A & M Law and that agency oversees regulations impacting animals, it does not provide training for law enforcement to understand and enforce these laws. Other agencies such as the Department of Environmental Conservation and the Department of Health have their own officers or investigators. Yet, in the case of the animal cruelty laws, State Police, county sheriffs and local police are charged with enforcing animal cruelty statutes, often with the assistance or at the call of a Dog Control Officer.

If these statutes continue to reside in the A & M Law, NYSHA feels strongly that members of the NYS Legislature should allocate needed resources to that agency to support the efforts of law enforcement in regard to handling animal cruelty cases. This should include standardized training for both law enforcement and Dog/Animal Control Officers statewide.

Recently NYSHA participated in budget related hearings hosted by the NYS Senate and Assembly. At these forums, we asked state representatives to put additional money into the 2015-2016 NYS Budget under the auspices of Department of A & M to provide training for law enforcement and Dog Control Officers. We have requested a phase-in over the next two years for A & M to train the over 63,000 law enforcement officers and 600 Dog/Animal Control Officers in NYS.

Though a funding request has been made, NYSHA continues to advocate for a permanent remedy to the lack of enforcement and general knowledge regarding the state's animal cruelty statutes -- moving the statutes from A & M Law into the Penal Law. We strongly support the legislative proposal to achieve this sponsored by [Assemblywoman Rosenthal \(A352\) and Senator Lanza \(S3201\)](#).

Please let your voice be heard on this important issue and contact your representatives in the NYS Senate and Assembly. To identify your state representatives, please visit: <http://assembly.state.ny.us/> AND <http://www.nysenate.gov/>.