



LINDA B. ROSENTHAL
Assemblymember 67th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Subcommittee on Mitchell-Lama

COMMITTEES
Agriculture
Alcoholism & Drug Abuse
Corporations, Authorities & Commissions
Energy
Health
Housing
Tourism, Parks, Arts & Sports

**Testimony of Assemblymember Linda B. Rosenthal before
the New York City Council Health Committee on Intro 0655**

September 9, 2011

Thank you for the opportunity to speak today. I am Assemblymember Linda B. Rosenthal and I represent Manhattan's Upper West Side and parts of Clinton/Hell's Kitchen. Throughout my career in the New York State Assembly, I have been an outspoken supporter of animal welfare issues, passing laws to extend orders of protection to companion animals and introducing many pieces of legislation including bills to prevent the piercing and tattooing of companion animals, stronger protections for wildlife and anti-animal confinement measures. In 2009, I was able to convey to the City the money it was due from the State's Animal Population Control Fund, by inserting a provision into the State budget. This was revenue generated by charging people who were obtaining dog licenses an extra fee when their dogs were not spayed or neutered. During the State budget process, the City of New York attempted to insert, alongside my provision, a clause exempting the City from elements of the 2000 City law, namely the requirement to build animal shelters in the Bronx and Queens. Upon hearing of this move, I put a stop to it, but it was clearly evident that the City had no intention, despite the legal requirement, of building the additional shelters. I have and will continue to work ceaselessly to ensure that voiceless animals here in New York State are given a voice, and feel that it is my responsibility as an elected official to speak on Intro 0655.

With shelters in only three of the five boroughs, New York City Animal Care and Control is the largest shelter system in the United States. Last year, it took in more than 30,000 animals and found loving forever homes for over 21,000. Despite all this, AC&C funding does not match its purpose or scope, and receives a trifle of funding relative to other shelter systems in the country. And, because of chronic underfunding and the attendant lack of space, AC&C euthanized more than 8,000 innocent and loving animals last year.

To address this issue and prevent the needless killing of innocent animals for no reason other than lack of space, in 2000, Councilman Peter Vallone Sr. introduced a bill, passed by the New York City Council that would require one full service shelter to be operated in each of the five boroughs. Currently, the City operates only three shelters: one each in Manhattan, Staten Island and Brooklyn while the Bronx and Queens, to the detriment of innocent, healthy and fully adoptable animals, are left woefully underserved.

While it is commendable that the City will provide the three existing shelters with a much-needed infusion of capital, which will increase both staffing levels and hours of operation, I cannot underscore the importance of operating and maintaining five full-service, no-kill animal

shelters in New York City. Increasing staffing levels and hours of operation will certainly enable the existing shelters to provide a better, more humane standard of care to the animals in their charge, but it will not address a major systemic problem – namely the lack of capacity at the existing shelters, which leads directly to the needless extermination of thousands of animals each year. These animals never receive the opportunity to find their forever home because there is simply not enough space at our existing shelters. The only humane remedy is to increase capacity by following the law as passed and opening shelters in the Bronx and Queens.

While I am fully cognizant of the fact that AC&C has been hit year after year by severe budget cuts, the City's lost, stray and feral animals must not suffer because of the City's lack of funding. I fully support plans by Manhattan Borough President Scott M. Stringer to reconstitute the AC&C board and transform it into a quasi-independent, non-profit organization, much like the Central Park Conservancy. By reforming the AC&C Board and populating it with financially adept, animal-loving New Yorkers, AC&C can play a larger role in its own financing and prevent political deals that shortchange the animals of this city and the people who love them from occurring in the future. Aside from a comprehensive city-wide spay and neuter program, operating five animal shelters is the best way to protect our animals and provide them with the best chances for a loving future.

The City should not be in the business of killing animals. It is a sad reflection, indeed, on our collective moral character if animals in New York City are viewed as disposable. I urge the City to swiftly consider plans to reconstitute the AC&C Board and ensure that this City's animals are treated humanely and fairly by fully staffed, no-kill animal shelters in each of the five boroughs. Thank you.

September 8, 2011

To Whom This May Concern,

I am currently a volunteer working for Animal Care and Control in Staten Island. I am writing you to say that I'm in support of the legislation sponsored by Counsel Member Lappin that would increase funding for AC&C by 10 million dollars over the next three years. We are understaffed and always in need of supplies for our animals. The staff is very dedicated and they treat every animal that comes into the shelter as if it was one of their own. We were understaffed this past summer to a point where the shelter staff was pushed to their limits. Increased funding means the animals get all the needed help they deserve. This funding will guarantee that more animals will be saved. One author states, "You can judge a country on how well they treat their animals". We are the voice of these animals, don't let them down.

Sincerely yours,

Kenneth Winslow

T-N-R need to force assistance

Dear Christina Bottego:

I will try to attend your meeting on Friday Sept 9, 2011 at 10 AM. I will ask for the day off of work.

But If I am not there in attendance, I would you like you to share my story. I am a person who became

T N R certified to help the feral's in my community. I pride myself in doing the right thing, we need your support to help the community and colony of feral's in all the boroughs. Please keep trying to help us. I appreciate your effort and support. Jessica Lappin asked me to reach out to you to have you address my issue at your meeting Sept 9, 2011 I am giving you permission to use my name to address the problems we are having and how important it is to press this law and mandate it ASAP Please feel free to call me if necessary 917-921-2791

Sincerely Diane Signorile

32 C Franklin Lane

SINY 10306

From: Signorile1@aol.com

To: lappin@council.nyc.gov

CC: cquinn@council.nyc.gov

Sent: 7/31/2011 4:25:28 P.M. Eastern Daylight Time

Subj: T-N-R need to force assistance

Dear Mr. Lappin and Ms. Speaker Quinn

As a caretaker and certified by your council. We needed your support that this law has passed. I have suffered a lot of torment and insults from a certain neighbor. All I wanted to do was to help the neighborhood feral's

It has been a tough year with the neighborhood cats in my community. But now that you have mandated this into law we all will be a cat safer community.

Caregivers keep getting a bad reputation and sometimes need to sneak to help animals. It is terrible that hateful and hurtful people will make up lies just to hurt animals and the humans who try to help them.

Thank you, and finally I can proudly say I am a certified T - N - R caregiver with much Pride.

I have been trying to get a colony of cats that are located on the Arthur Kill Rd & Clark Ave location. This is a detached home in which neighbors have taken to feed many cats in the back of this homeowners house. She often is out of town and I have tried many times to contact her and the people who are feeding the feral's.

The homeowner will co-operate but the care giver who is feeding the feral colony is not friendly to me at all. I have tried many times to speak to the caregiver in a very friendly way but she will not cooperate with me.

I will assist with the T-N-R in my neighborhood. The house has a garage in the back of it I have done the program with Maria Luz with great success. Please let me know if there are any steps you can take to get the program going. I need to accomplish this before Winter comes. I have 4 eartipped cats in my colony I have caught and eartipped 7 cats in the community. Assisted in T-N-R for about 50 cats to date.

Sincerely Diane Signorile

32C Franklin Lane

Staten Island NY 10306

917-921-2791

Date: September 9, 2010

From:
Christina Stern, Ph.D.
460 W. 24th Street, Apt. 2A
New York, NY 10011
(212) 627-0920
cmrstern@yahoo.com

Re: Comments in Support of the Intro. 655 to Improve City Services for Animals

Dear Ms. Bottego,

I am not able to make the hearing today, but I wanted to voice my support for the initiative of the Bloomberg Administration, the AC&C, the ASPCA, and the Mayor's Alliance for Animals to improve services for the care of abandoned and homeless animals in New York City. I hope that you will add my comments below to the public record. (I apologize that I couldn't be at the hearing in person.)

As a long-time New Yorker (25 years of living in the city) and as a teacher, I think that this measure is critical. New York is one of the world's premier cities -- maybe the premier city -- and we excel in so many areas. I think that we can better, however, on the issue of animals. I have many friends, neighbors and colleagues who are involved in animal rescue and humane efforts on a private and personal basis. (I've also volunteered on behalf of animals.) The challenges they face are overwhelming. ***I believe it is vital that the City take a more active role (and increase funding) to coordinate, augment, and improve the services that it provides to companion animals.***

As a history teacher, I think it's also important to remember that the city was the birthplace of the ASPCA and the humane movement in the United States. That was back in the 1860s. ***A century and a half later, it is morally incumbent on us, I would argue, to continue our humane legacy and to take better care of the City's companion animals.***

This measure is a smart and humane measure that will accomplish that some key animal protection goals. I was very excited to read about it, and I hope that it will pass. I ask that you add my comments to the record.

Sincerely,

Christina Stern

----- Forwarded Message -----

Dear Ms. Lappin:

Sorry, but as it currently stands your bill Intro 655 to "help" stray cats and dogs is surprisingly bad. So bad, in fact, it could have been written by Christine Quinn considering her track record on animal issues,

It does away with the mandate in previous legislation that animal shelters be constructed in the Bronx and Queens. The Bronx and Queens compare with the sizes and populations of some other large cities. That there is no animal shelter available in either is outrageous, inhumane and negligent. That as part of Intro 655 the existing shelters would now be open 24-7 fails to impress. They are merely killing machines. Why? They kill animals for lack of space, space that would be available if that mandate hadn't languished for over 10 years. You would have us believe that it's an improvement to have them available to acquire their victims all day and night. How convenient for the inhumane, callous and uncaring - and for those who can't afford the draconian fines associated with MSN. See below.

Mandatory spay/neuter ("MSN"), has been documented that it simply doesn't work and in fact makes things worse. Didn't your staff do *any* research? This, Ms. Lappin, is MSN:

- Mandatory spay/neuter (MSN) laws with punitive fines don't work! And to propose such in these hard economic times? What were you thinking?
- Not a single city that has achieved "No Kill" shelter status has done so with MSN
- Cities with MSN laws still have sky-high kill rates
- MSN does not increase spay-neuter compliance rates or reduce shelter intake
- MSN laws are not cost-effective: impoundment and killing is very expensive
- MSN does not save lives but instead increases the numbers of homeless animals (remember, nature abhors a vacuum)
- MSN's negative impact is particularly devastating in lower-income communities
- More animals inevitably will be surrendered to ACC as a result of the high fines
- The ACC killing machine will go into overdrive in New York City
- MSN may have serious unintended consequences that constitute a public health concern: punitive fines may encourage people to avoid veterinary care altogether, including risk of inadequate vaccination (eg, rabies) and inadequate deworming

So how all this is supposed to "help" cats and dogs does escape me. In my opinion, it's a cynical disgrace and it's disingenuous at best for you to spin this atrocity as "helping". You must think pet lovers and humane people in general are really stupid.

Sincerely,

Sheila M. Richardson

*Dear Ms. Speaker Quinn, Ms Jessica Lappin and the City Health Committee:
When the Brookfield Landfill Park was beginning its transition faze I noticed
the Brookfield Feral Cat Colony was getting displaced.
I was able to reach out to Andrew Olsen, Community Liaison of the
Brookfield Citizens Advisory Committee, and alert him of the need to help the
colony of cats.*

*while I was shopping at the local Pet Smart location in Tottenville, I found a
posting introducing me to the T N R certification Class that was offered in
Staten Island August 2010.*

*I have been able to care for the cat colony, which borders on my community
property. In October 2010, I was able to trap 7 cats. Almost a year has
passed and the cats are thriving.*

*I felt the need to apply the T N R program to my community due to starving
cats and kittens in the community. The feral's were at one time going into
trash cans or mounds of garbage that were left out on garbage night. The
cats were very sick looking and most importantly the kittens didn't have much
of a chance to survive the older cats abusing or killing them.*

*Currently, on the opposite side of my community development of Colonial Sq.
in Richmondtown, Staten Island NY*

I have a neighbor who hoards cats and kittens in a neighbors back yard.

*The neighbor is mostly out of town and has given permission for the cats to
stay undisturbed.*

*I have given out the ASPCA flyers alerting the neighbors of the certification I
have with neighborhood cats. I have offered to help and assist to keep the
colony safe and healthy, and to stop producing kittens.*

*They refuse my help and have told me they like having the cats reproduce
and love having the kittens running around.*

*Winter is coming and I feel this is not fair to keep kittens multiplying, also they
are causing an abundance of cats in this community.*

*We need to mandate this law to keep our community safe and all colonies of
cats healthy and safe.*

Sincerely,

Diane Signorile

Richmondtown Staten Island NY 917-921-2791

Oppose Intro 655. Shelter pets need an alternative

Dear Speaker Quinn and Ms. Bottego:

Greetings. I am writing to state my opposition as a resident of Park Slope, Brooklyn, to Intro 655. This bill has much that is harmful for our pets. For one, it implements useless and ineffective (Mandatory Spay Neuter) policies that elsewhere, such as in Los Angeles, have led to a 30% higher kill rates. The American Society for the prevention of Cruelty to Animals, for instance has taken a firm position against MSN. Secondly, it no longer requires (as had previously been the law passed in 2000) the creation of 2 new shelters to provide desperately needed space for animals. Also, it does explicitly require an increase funding for animal care and control.

I urge you to reconsider and to oppose Intro 655.

~Colleen Eren
534 4th ave, apt. 2
Brooklyn NY 11215

Opposition to Intro 655

Dear Speaker Quinn,

I urge you to oppose Intro. 655 tomorrow. The dismal state of NYC's shelter system is well known, and the last thing the system needs is funding cuts and fewer shelters. Please do not make a bad situation even worse. These animals are at our mercy to do the right (and humane) thing. It is deplorable to make animals the lowest priority for city funds because they don't vote. We who care certainly do.

Thank you,

Laura Warne
548 West 50th Street
Apt 2FW
NY, NY 10019

RE: Intro 655

Hello,

I'm writing to make public my feelings about Intro 655. I would like to oppose this been and ask you instead to support increasing funding for animal services in New York, particularly new, necessary and promised shelters in Brooklyn and Queens.

Sincerely,
Kate Benton

--

Kate Benton
Copywriter
[+1 \(646\) 708 5952](tel:+16467085952)

NYC: Improve Our City's Shelters! We Need Your Voice

Thank you Ms. Bottego for following up with me. I am not sure if I will be able to attend this public hearing since my full-time job could conflict with the time, but I am going to try my hardest. In the mean time, I would like to submit some feedback on this bill and how it will greatly affect the already desperate situation within the NYC ACC. Frankly, I can not understand trying to back up on the law passed in 2000 making it mandatory for all boroughs within New York City to house a shelter. With the recent grant of \$12 million dollars, I know that the development of these shelters will not only take off the burden from the incredibly overwhelmed and at capacity shelters within Brooklyn and Manhattan.

As a pet owner and an administrator of DOG LIC, an advocate organization in Long Island City with over 500 active members, it would pain me to know that if my animal or one of my friend's pets happened to become lost or injured outside of my care, they could end up in a shelter miles away from our home with just 48 hours protection from being euthanized or adopted out. With local shelters, protection is given to local animals and that notion is enough for to demand these shelters, as the 2000 law required, to be built.

To that point, the overcrowding of shelters and lack of animal advocates within the NYC ACC shelter system presents another issue - adoptable and healthy animals of all ages and sizes are being put down at a disgusting and out of whack rate. Today alone there are 50 adoptable cats and 18 adoptable dogs that are on the 'To Be Destroyed' list. Yesterday, 35 ADOPTABLE animals were destroyed. Some of those animals are actually so young, they can not be adopted out, but the ACC finds it okay to murder them instead. At the core of the issue, we have an Executive Director who seems to not even try to disguise her disdain for the animals she was hired to protect. Day in and day out, there is a steady stream of animals coming in to this shelter, some only have a glimmer of hope to be pulled or rescued. We need to create additional shelters to carry that burden. Extended ours within the other boroughs will not do the job, we need to make a change in the system. We are failing our city's pets and animals, and allowing people to discard them like they are trash. New York City is better than that. With pet stores selling animals for up to \$2000, its unbelievable that these animals are given less than 72 hours sometimes to be saved. The former animal advocate had quite a strong rescue rate because of the human touch when posting these animals out to the social and digital properties most used to list these animals. While I understand that there is no easy cure for an overcrowded shelter system, economic downturn and legislation that allows animals to be treated in this way, the Intro will not

eliminate this problem either, but actually exacerbate it. Spay and neuter programs can work, but they can fix this broken system. Money can aid, but it can not be the only response - we need better education. We need true animal advocates working for these animals. And while I respect Council Member Lappin's stance on almost all other issues, I can not stand by and see more animals discarded when the NYC ACC system was just given such a large grant to fix their incredibly obvious problems.

We need true solutions, from people who truly are animal advocates. New York City can do better, and I am positive if these funds were allocated in the correct way, expanding these shelters, assisting the foster process, planning to move to a NO-Kill system, much like Long Island, then we really are making change.

I hope the committee can hear the cries of the broken and abused, and know that they can have a voice with us on their side. We need a real solution to the overwhelming and heartbreaking issue that is animal welfare in this city, and in this state.

Thank you for your time, and I hope you can make the right decision today.

Sincerely,

Danielle Johnsen Karr

New York City resident since 2011, New Yorker since birth.

**TESTIMONY AGAINST INTRO 655
CITY COUNCIL HEALTH COMMITTEE PUBLIC HEARING**

**Elizabeth Forel
September 9, 2011**

My name is Elizabeth Forel and I am the president of The Coalition for New York City Animals, Inc. I submit my comments in opposition to Intro 655, the NYC “shelter” bill.

The most glaring problem with this bill is that it repeals the law of 2000 requiring shelters in every borough. Queens and Bronx have been in desperate need of animal shelters for years.

This does not bode well for asking people to trust the government. In 2000, the people wanted the shelters and they still do. It is similar to the term limits law where the citizens voted twice and were ignored.

No one at the Department of Health has the expertise to decide whether or not NYC needs a shelter in each borough. It is also a conflict of interest to depend on the same old players – namely the ASPCA and the Mayors Alliance to call the shots. Their influence on the ACC is largely responsible for animal statistics not improving as we had been promised some time ago. I suggest calling in an outside expert such as Nathan Winograd from the No Kill Advocacy Center and author of the book Redemption to do a shelter evaluation.

Mr. Winograd has been very critical of the NYC shelter system for its high killing rate. His “blue print” has been followed by many communities like Reno, NV, Austin, TX, Charlottesville, VA and Tompkins, NY, which are well on their way to being No Kill. None has punitive mandatory spay/neuter legislation on the books.

The DoH and present ACC Board must be removed as the agency in charge. Borough President Stringer has proposed a change of Board and structure that must be considered.

The following section is a huge mistake and I doubt that much thought has been put into it. It will result in an increased killing of cats.

§ 4. Section 17-804

d. Every owner of a cat who permits such cat to roam outside the interior of the owner's dwelling shall have such cat sterilized. At the request of employees or authorized agents of the department, owners shall provide proof satisfactory to the department that a cat found roaming has been sterilized.

This is Mandatory Spay Neuter. It is a concept that was popular in the 1990s but over the years has been proven not to work.

Field agents in Animal Control are being increased so there will be more officers to pick up these cats.

What it will look like:

1. Free roaming cats are either feral, homeless, stray, abandoned, a cat who belongs to someone who is allowed to roam; a cat who got out by mistake, and deli cats who are illegally housed anyway
2. There is no way for an Animal Control Officer to determine in what category the cat falls – i.e., stray, lost, store cat.
3. The Animal Control Officer will pick up - or impound - all of these cats without discrimination.
4. Since these cats will all come into Animal Care and Control as strays, legally they have 48 hours before they can be killed – unless they are determined to be sick or have behavioral problems, then they can be killed immediately. Most cats will be terrified in this kind of situation and will appear to have “behavioral” problems.
5. No one will claim the ferals; the deli owner will never admit to having a cat because he was not supposed to have one in the first place; if a cat is allowed to go out at will, his caretaker may not even realize he is gone before it is too late. Those who are lost stand the best chance, but only if they are micro chipped.

Punishing legislation does not work and will result in an increase of cats at the already over crowded shelters. More will be killed. It is a fantasy to believe that because they are rounded up and brought to the shelter, they will be adopted so readily.

NYC needs to implement life affirming free or low cost spay neuter programs – make it very accessible and widely advertised. This is the only way to get the kill numbers down. Some of the funding should go into free and accessible spay/neuter services and a wide reaching advertising campaign.

Another unclear part of this bill is about Trap, Neuter and Release - TNR. Since there is little faith in the government or the ACC to do the right thing, TNR caretakers should not register themselves or their colonies with the DoH. It would be a death sentence for the cats.

Instead of rushing into this ill thought out venture, I also suggest that you drop this bill and do a real analysis as recommended above.

Thank you.

##

TNR is essential

Without TNR we could easily have over 200 cats roaming our street—unneutered and uncared for.

Instead, in 6 six years, having taken the TNR course with neighborhood cats, myself, husband and few volunteers have had spay/neutered 80 cats on the ASPCA mobile clinic.

Some were tame strays who we found homes for. Others went to no-kill shelters and found homes. The remaining colony, under 20 is maintained by 3 of us—food and small shelters provided—important in winter. We do need more resources for the volunteers like ourselves. The cost of medical care for sick strays and ferals still remains with the volunteers and it becomes very costly—over time, prohibitively so. Also, as the economy permits—more people who are paid to do the work of trapping, etc. are needed.

But without the TNR programs as they exist now, the welfare of the animals would devolve to '0' and we'd be watching helplessly as the cats multiplied—(up to 3- 4 litters a year is possible per female cat).

Noa Bornstein
Greenpoint, Brooklyn
noabornstein@aol.com