THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

December 27, 2013

Hon. Michael McSweeney
City Clerk and Clerk of the Council
141 Worth Street
New York, NY 10013

Dear Mr. McSweeney:

Pursuant to Section 37 of the New York City Charter, I hereby disapprove Introductory Number 933-A, which would amend Title 17 of the Administrative Code of the City of New York, in relation to creating an animal abuse registry.

Introductory Number 933-A would require the Mayor to designate an agency to create an electronic registry of individuals living in New York City who have been convicted of animal abuse crimes in or out of New York State. It would require annual, in-person contact between such agency's staff and convicted animal abusers. In addition, Introductory Number 933-A would prohibit those convicted of animal abuse crimes from subsequently having intentional physical contact with any animal. It would require individuals to self-identify as abusers, and then would place a burden on pet shops, animal shelters and other animal-related businesses or associations to consult the registry and decline to exchange or transfer animal ownership to a registered person. It would further provide criminal penalties for persons who fail to register and for those who have intentional physical contact with any animal when they are registered or required to be registered.

This proposal is ill-conceived, wasteful and ignores the reasonable controls already in place to ensure animals are protected from those who would do then harm. It would require the City to expend significant resources to design and build a confidential electronic registry, accessible twenty four hours a day, seven days a week by a limited number of users that would ultimately prove ineffective in addressing a very limited problem. Such an expenditure of resources cannot be justified in light of the small number of convictions for animal abuse crimes in recent history. According to data from the State Unified Court System, last year only fifteen people were convicted of any of the nine different offenses that would require registration by this proposed law.

Moreover, Introductory Number 933-A is procedurally and conceptually flawed. There is no way for a person whose conviction is overturned to petition to have his or her name removed from the registry. Its definition of "animal" is so overly broad that it could lead to absurd results. It would effectively prevent a person from having intentional contact with virtually any species of animal – including for example, petting a dog – and would prohibit a person from residing even temporarily with someone who owns an animal, even if their own child were to get a pet such as a goldfish.

The proposed legislation is also unreasonable because it would not be effective. It remains unclear how the designated agency would know when a City resident has been convicted of an animal abuse crime in New York State, much less in another jurisdiction. The City does not routinely receive reports of such convictions from federal or State courts nor can the City Council compel these court systems to furnish them.

The City already takes extensive measures to ensure that animals under its care are not transferred inappropriately, including to individuals unable to love and care for a pet. Animal Care and Control of New York City, the non-profit organization which operates the City's animal shelter and adoption services, already screens individuals for animal abuse histories and other factors and does not transfer animals to persons considered to be inappropriate adopters.

For these reasons, I hereby disapprove Introductory Number 933-A.

Sincerely,

Michael R. Bloomberg
Mayor

Cc: The Honorable Christine C. Quinn