



Improve Outcome When Reporting Cruelty

NYSHA receives many calls from individuals who report incidents of animal cruelty to police and become frustrated by the lack of attention they receive. This apparent lack of response may occur for several reasons. By becoming aware of them, progress can be made to help animals.

One reason for inadequate response by police may result from a complainant's lack of clarity. People are upset and may say, "There is a guy in Corinth on Maple Street who is neglecting his dog. Please do something." When police ask for more specifics, the caller does not know them.

To get police attention, have your facts in order. There are generally two types of situations to deal with: one is a neglect case and the other is an emergency situation where the life of an animal is in imminent danger.

For neglect: Specify the exact location where abuse is taking place and the name of the neglecter if known. Describe to police the neglect you witnessed: lack of food and water, no shelter, etc. Was the animal in a place where the police can see it? Or did you happen to be inside a residence and witness a neglected animal? If the latter is the case, you need to provide the police with a sworn statement as to what you saw, so they have a basis to investigate the complaint. If you are afraid of signing a statement because you fear the person, tell that to the police, and they will work with you to shield your identity. If you properly report the complaint and you see no action, make a follow-up call.

For an emergency: Call 911 and explain what is happening. For example, the neighbor is outside beating his dog. Again, provide exact location and the facts you have. When police arrive, if the beating is still going on, they can make an arrest. If you have a cell phone with video, record the incident. If the neighbor has gone inside with the dog, you will have to provide a statement to police. In this case, your video will be a

great asset to them. You must provide your identifying information to the police and attest to the fact that you took this video. Again, if you are afraid of the neighbor, explain that to the police to see what they can do to protect your identify.

Another reason police may not respond to an animal cruelty call is that they do not know what to do with the animals, especially if there are a large number of them. For example, a police agency receives a complaint that numerous horses are being neglected in a barn or field. If you are the complainant, you can assist police by providing them with the name of a horse rescue that would be willing to help the police with removal of the animals and to care for them temporarily. Also, a veterinarian is critical to an animal cruelty case, so if you know one who would be willing to assist police, that would help enormously.



You can be their voice.

Lastly, police may not be responsive to a complaint because they are not sure what to do. Unfortunately, because the animal cruelty statutes are in the Agriculture and Markets Laws, rather than in the Penal Law where they belong, they are not taught to recruits at the police academies. As a result, police may think that animal cruelty investigation is the responsibility of the Dog/Animal Control Officer. Again, you can assist police by printing a copy of Article 26 from the Agriculture and Markets website (http://www.agriculture.ny.gov/AI/AILaws/Article_26_Circ_916_Cruelty_to_Animals.pdf) and referring to it when reporting your case. The sections of the law that generally apply to cruelty cases are 350, 353, 353a, 355, and 371. You can also refer the police to the NYSHA website (nyshumane.org) where they can find our "Investigating Animal Cruelty" manual and examples of various documents they may need. Please be respectful when dealing with police officers.

To sum up: the key elements in reporting animal cruelty are

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President's Message

One of my favorite parts of the day is TLC time -- tea, Luigi, and cuddles. Luigi is a beautiful and gentle grey and white cat who loves to sit on my lap in the morning and supervise as I plan the day. It is a long way and a long time since we found each other, as he meowed to me from our field one spring.

Luigi is older now and experiencing many of the problems faced by geriatric animals. He still seems comfortable, interacts with his human and feline families, but is on a variety of medications and is clearly approaching the end of his life with us.

While we were sitting in the veterinarian's office yesterday for our ongoing check-ups, with his now tiny paw resting in my hand, I read an article about hospice for cats. I found it depressing and just so sad. What would be the reason to take an animal from everything and everyone he or she knows and loves, to prolong a life without those comforts? Like every good pet parent, I KNOW my animals. I know their normal hiding spots and the ones that indicate something is wrong. I follow Luigi around with tempting treats and hold him at night while we sleep. And I will know when to let him go as his quality and enjoyment of life diminishes, when he is no longer sunning himself in favorite places, eating or grooming, or just being a cat.

Too many "hospice" situations are actually run by hoarders, and the thought of any animal, yet alone mine, enduring that is unbearable. To be without veterinary support, specially prepared foods, medicines for palliative care, or constant monitoring by someone he trusts would be both physically and emotionally cruel as well as pointless. Whatever their misleading promises or sentimental names may be, there still is no place like home. I love all of our cats equally, spending individual time with each one every day. Yet when one becomes sick or old or frail, more and more time is devoted to him or her, and the bond is even stronger.

It is a privilege to have these special days with Luigi now. I wouldn't have it any other way. Luigi was a stray, but in many ways strays like him rescue us more than we rescue them. If only for that, we owe them a compassionate ending after the new life they began and shared with us. Soon our wonderful veterinarian will come to our home for a final act of kindness, and Luigi will be gone, taking a piece of my broken heart with him, but leaving a legacy of love.

As always, for the animals,

Laura-Ann Cammisa

Matching Grants

Have you checked to see if your workplace matches employee's donations to qualified organizations? If not sure, please ask your employer. You may be able to double your donation to NYSHA.

NYSHA's Calendar

Investigating Animal Cruelty Workshop - The next workshop will be held at the New York State Police Academy on April 21. You can find details on NYSHA's website – nyshumane.org.

Cowspiracy – film about effects of a meat-based diet on the environment. HVCC in Troy – March 3 – 6:30 PM -- free.

Lobby Day in Albany – March 24 at the Capitol.

Animals Advocacy Day – watch website for date.

nyshumane.org

VISIT NYSHA'S WEBSITE & NEW BLOG

NYSHA now has a Blog. Go to nyshumane.org, and click on Blog in the menu bar, where you can read blog posts and arrange to receive notifications of new blog posts.

Click on **Newsletters** in menu bar to read current and past issues of *Humane Review*. To receive our newsletter via the mail, click on the **Support NYSHA** or **Contact Us** tabs and request to be added to our mailing list.

The website also contains our *Investigating Animal Cruelty* manual for free use and other valuable information for law enforcement's assistance when handling animal cruelty cases.

Thanks to our wonderful webmaster, Linda Rydant, for all her work! We also thank Tom Byrne for his great work in keeping the cruelty manual up to date for us on the website.

Please **LIKE** us on **FACEBOOK**.



Luigi enjoys the warm sun.

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Legislation Committee

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 the animal cruelty laws, Article 26 of the Agriculture and Markets (A & M) Law; however, 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 a par with other offenses, help to streamline training, and maintain statistical data.

But, years of attempts by NYSHA, supported by other organizations, to get legislation passed to move the cruelty statutes into Penal Law, have failed. If these statutes continue to reside in the A & M Law, NYSHA feels strongly the NYS Legislature should allocate needed resources to A & M Dept. to educate law enforcement in regard to handling animal cruelty cases

-- standardized training for both law enforcement and Dog Control Officers statewide.

Recently NYSHA participated in budget-related hearings hosted by the NYS Senate and Assembly, at which we asked state representatives to put additional money into the 2015-2016 NYS Budget under the auspices of Dept. 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 Control Officers in NYS.

NYSHA will continue to advocate for a permanent remedy to the lack of knowledge and enforcement of the state's animal cruelty statutes -- moving the statutes from A & M Law into the Penal Law. We strongly support the bill to achieve this, sponsored by Assemblywoman Rosenthal (A352) and Senator Lanza (S3201).

Please let your voice be heard on this important issue and support this bill. Contact your representatives in the New York State Senate and Assembly. To identify your state representatives, please visit:

<http://assembly.state.ny.us/> AND <http://www.nysenate.gov/>

Elephant Incarceration: New York State's Shame

NYSHA's attention is most often focused on domestic animal abuse -- the exploitation of Thoroughbred horses in racing, the exposure of "TNR" (Trap-Neuter-Return) cats to bitter cold, cruel humans, and predators, and the investigation as expert consultants into animal cruelty cases as adjuncts to the investigators. However, we never forget the suffering of non-domesticated animals trapped in roadside petting zoos, traveling exhibits (county fair lion/tiger "photo ops") and circuses. The abuse of elephants in major, well-respected zoos is every bit as tragic.

Recently, the national animal advocacy organization In Defense of Animals conducted its annual evaluation of the worst zoos (in terms of humane elephant care) in America: its "top ten" list, to New York's shame, includes three zoos in this roster -- no other state cited has more than one. The three zoos are the Bronx Zoo, the Buffalo Zoo, and the Rosamond Gifford Zoo in Syracuse.

Keeping elephants in captivity has long been a bitterly contested practice. Elephants are a highly intelligent, long-lived, and social species; to ignore their psychological and social needs creates depression, illness and psychosis, while incar-



Elephants lead boring, unnatural life at zoos.

ceration in small enclosures on hard surfaces in our bitterly cold winters promotes physical illness. When kept alone, they suffer from extreme loneliness. Physically, they are prone to severe lameness, foot injuries, arthritis, tuberculosis, and shorter life spans than those in the wild. Obviously, they cannot live as they have evolved for millennia to live in tightly bonded matriarchal groups who stay together for life. Each new baby is cared for by a host of doting female relatives -- sisters, cousins, and aunts -- in addition to his or her mother. They wander hundreds of miles in a year, following the seasonal water and food supplies and led by the old experienced members. When an aged male or female elephant dies (whether naturally or by slaughter,) their kin return to the skeleton year after year to touch and caress it. Incarceration makes all of

these activities and behaviors impossible.

Those scientists who defend keeping elephants in zoos -- like Ringling Brothers' excuses for their circus elephant breeding programs -- claim that they are trying to promote conservation and the preservation of the species, but this is disingenuous and

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NYSHA Closes Out 2014 Workshops in Columbia County

Columbia-Greene Community College offered a spacious and well-equipped multi-purpose room to NYSHA for its final 2014 workshop on October 7. The room was virtually filled to capacity with over 50 attendees.

Both the Greene County and Columbia County Sheriffs' Departments co-sponsored the event, along with the NYS Division of Criminal Justice Services. ADAs from both counties, Sarah Leggio (Greene) and James Carlucci (Columbia) volunteered to co-present the section on how to make the best case possible for the DA's Office.

Numerous police agencies from around the area, as well as State Police, were represented, along with police officers from as far away as Herkimer and Madison Counties. Also in attendance were investigators from the Attorney General's Office as well as the DEC. In addition to the regular NYSHA speakers (Sue McDonough, retired State Police, BCI; Dr. Harry Hovel; veterinarian, Dr. Holly Cheever; and State Police Investigator George Bird), we were pleased to have Detective Michelle Crowley from the Colonie Police Department co-present the section on the NYS animal cruelty laws -- where to find them and how best to enforce them.

Evaluations contained comments such as "Presenters knowledgeable in their fields. Thank you for sharing your experi-



Inv. Michelle Crowley (instructor), John Wood (AG's Office), and Dr. Harold Hovel (instructor)

ence" and "Lots of good information in the handouts that can be used on the job in the field." along with, "A very good overall class. Would recommend to others."

NYSHA is in the process of setting up its 2015 schedule. Currently, the first workshop scheduled is on April 21 at the NYS Police Academy in Albany. Please check the

NYSHA website for additional workshop dates as they are added..

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having all the facts, being helpful by providing names of agencies and individuals who might help with animals, and mentioning the relevant laws. After you file a complaint, please follow up, and be persistent if you feel nothing is being done.

What you can do to help with animal cruelty:

1. Continue to support NYSHA and its work to improve the lives of animals.

2. Contact your state legislators and inform them you want the cruelty laws moved to the Penal Law, and also contact Assemblyman McGee, who heads the Assembly Agriculture Committee. The addresses of legislators can be found on the Assembly website: <http://assembly.state.ny.us/> and <http://www.nysenate.gov/>
3. Write letters to the local newspapers supporting strong cruelty law enforcement.

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plain bad science. As elephants continue to be slaughtered in the wild by poachers eager to profit from illegal ivory sales -- over 100 daily, by some estimates -- the millions of dollars spent by zoos to keep their elephants in inadequate facilities would do far better to conserve elephants if the funds were used instead to protect them in their natural habitats. Establishing larger preserves, increasing the numbers of anti-poaching personnel, and promoting tourism to witness the elephant herds from a distance, making them more valuable alive than dead, would do far more to keep these magnificent beings a part of the rich diversity of life on earth throughout the 21st century.

Please note that last year's passage of the bill to ban ivory sales in New York, signed into law by Governor Cuomo in August 2014, was an important measure to protect elephants -- thanks to all of you who called your legislators to support this crucial legislation.

Please call or write these zoos to politely request that they do the right thing by releasing their elephants to a suitable sanctuary. NYSHA thanks you!

Bronx Zoo
Wildlife Conservation Society
2300 Southern Blvd.
Bronx, NY 10460
718-220-5100

Buffalo Zoo
300 Parkside Ave.
Buffalo, NY 14214-1999
716-837-3900

Rosamond Gifford Zoo
Burnett Park
One Conservation Place
Syracuse, NY 13204
315-435-8511