

HUMANE

REVIEW

THE NEWSLETTER OF THE NEW YORK STATE HUMANE ASSOCIATION



Race Horse Fatalities Continue

NYSHA's Spring/Summer 2008 newsletter featured an article on the Thoroughbred racing world and its stressful training regimens that create injuries for the immature equine athletes who compete. The article was written at the time of Barbaro's euthanasia, despite months of post-operative nursing care after his Preakness breakdown, and also near the time of Eight Belles' shattering both "ankles" after her stellar performance in the Kentucky Derby. Though their deaths were covered emotionally in depth, no mention was made of the other hundreds of unknown horses who died that year; they also broke down — fractured a limb or ruptured a ligament -- in races and were euthanized on the spot.

Statistically, 800 thoroughbred horses are said to have died in track injuries in 2001, and 1,247 in 2008. In December 2010, the Jockey Club tabulated "about 1510" track deaths in the previous 2 years from its Equine Injury Database. The high profile tragedies of Barbaro and Eight Belles fueled an intense public scrutiny on the racing industry, in which different causative factors for the unacceptably high breakdown and euthanasia rates were aired. Since America's tracks are harder than European turf tracks, producing more stress injuries than their European counterparts on which horses run longer and sounder, racing commissions in the U.S. promoted the development of artificial tracks that were allegedly less concussive than present surfaces.

Additionally, the Thoroughbred breeding industry debated the need to select horses for resilience and soundness, not just for blinding speed. Animal advocates criticized the early age at

which the horses undergo training in order to be ready for the biggest stake races for two- and three-year olds. Since racing at two means that immature horses endure weight-bearing daily workouts long before their bones have matured, young horses are physically stressed by their arduous training on hard track surfaces to the point that they become injured and are never given adequate time to rest and fully heal.

Other risk factors included the use of certain racing shoes, anabolic steroids, diuretics, and stinging whips. In the spirit of reform that resulted from these deaths, various tracks initiated policies requiring the use of less-painful crops and specified what shoes were acceptable. Steroids were banned. New artificial track surfaces were installed in several locations -- but have all these improvements resulted in an actual decrease in the fatality rate? In fact, race course fatalities dropped between 2007 and 2008, but only by 3%. And instead of concentrating on breeding for a sturdier physique, a grant from Science Foundation Ireland has funded the development of a test for a genetic marker indicating speed, and billionaire breeders are excited by the prospect of breeding an even faster, but possibly more fragile, horse.

It is doubtful that the racing industry will ever take the necessary steps to lessen its injury rates. Owners and spectators, eager for ever-faster records, will not choose horses capable of longer careers over the more exciting record-breakers. It is even more unlikely that the big stakes races will be postponed until the horses are fully matured at five to six years old — the expense of maintaining and training race horses for a longer period with a delayed return on the investment is unacceptable to owners and investors. Therefore, the message should be sent to the industry leaders by the public that the abuse their equine athletes suffer is unacceptable, as follows:

What you can do: NYSHA encourages you to seek out and support responsible local horse rescue organizations, whose operating costs are astronomical. Write letters to the editor on this issue, and ask friends to boycott Thoroughbred racing. And, as always, if you see cruelty to or neglect of horses, please report it to the police or SPCA in your area, and follow up to make certain that the situation is resolved.



President's Message

Early in the summer, I received a frantic call from my parents, who live several hours away in a very congested suburb of New York City. Their old cat, Frankie, had escaped and was missing for several days. Of course, since he was neutered, we knew he wasn't looking for romance.

Neighbors had been called, garages checked, sheds opened. A search party looked under bushes, in trees, and in parked cars. From my home upstate, I began the process of calling anyone we could think of -- veterinarians, sanitation, public works and parks departments, to name a few.

That's when the reality of what we already know truly hit home -- there are so many cats, they have almost become a non-entity for numerous shelters and animal control organizations. Although everyone I spoke to was very nice, as most people who work in animal protection are, no one could help. Very few shelters took reports of lost animals, since they "were likely to move on and not be in the same place." In addition, because they had limited access/entrance policies to promote "no-kill" philosophies, they wouldn't take them in, anyway. I asked if they had programs to assist anyone with spay/neuter or medical needs in case someone decided to adopt a foundling, and they didn't. Sadly, having just found on my own property five new cats this year alone, I can say from experience that this is a very worrisome statewide problem.

Fortunately, Frankie came home a few days later, but he wasn't well. We took him to Dr. Cheever's amazing new veterinary hospital, where he was released the next week in better but guarded health. Sadly, due to his age and other complications, he again deteriorated, and we made the kind decision to euthanize him while in my arms. We were so very lucky that we know what happened to him and that we

had the comfort of comforting him in his final days. Frankie was a rescued city stray with a bad leg, and the idea that he could have died alone and in pain out again on the street was unbearable.

And yet suffering and dying on the streets, farms, and back alleys, where many so-called feral cat colonies are considered rescued, is what is happening to countless poor felines. Three cats that I found came from a nearby situation where they had been neutered and then left to fend for themselves with minimal food, shelter, and supervision -- and they all arrived on my doorstep with medical issues. Their future was not bright, and because there are so many homeless cats out there with nowhere to go, I have kept them. At this point, though, I will not be able to take in another, so then what?

As NYSHA and countless other well-respected groups have been stressing for years, the answer is preventing the birth of these felines. Yet, unbelievably, when the issues of cat licensing and mandatory sterilization are raised, people say that they will create circumstances where animals are abandoned because caregivers cannot afford to pay for these procedures. But can we afford not to? Responsible pet care is costly, but with monies raised and saved, we can create low- or no-cost spay/neuter programs that will actually pay for themselves while alleviating many of the horrific cruelties associated with overpopulation.

Frankie deserved, and ultimately found, a great life to which all cats are entitled. None should ever have to face the distressing world of being homeless.

As always, for the animals,

Laura-Ann Cammisa

NYSHA's Calendar

NYSHA's Spring 2012 Animal Cruelty Investigation Workshops – For dates, location, and a registration form, please check NYSHA's website – nyshumane.org – early next spring.

NY Vegetarian Expo – October 1, 2011. Empire State Plaza Convention Center in Albany – The Expo brings together the global health benefits of green sustainable living, environmental awareness, and compassion to animals and all beings. For more information, go to nyvegetarianexpo.org.

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.

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This Year Brought Legislative Progress for Animals

Please Help Achieve Even More in 2012

Governor Cuomo signed into law three of the bills that NYSHA lobbied on during the first half of the current two-year session. Animal advocates owe thanks to him and the sponsors of the following bills.

- S3237-A (Lavage)/A4407-A (Lentol) – Strengthens the animal fighting law. Its objective is to improve the ability of law enforcement to crack down on spectators at fights.
- S3858-B (Grisanti)/A6291-A (Rosenthal) – Restricts the sale, possession, etc. of bear gallbladders. Will help discourage the poaching of bears for their gallbladders and bile sought for certain traditional Asian medicinal treatments
- S3911-A (Oppenheimer)/A6373-A (Cahill) – Clarifies that animal shelters may voluntarily transfer animals to other facilities for the purpose of facilitating finding them good homes.

In the second leg of the 2011-2012 session beginning in January, NYSHA will continue to focus primarily but not exclusively on bills related to companion animals. One of our over-arching bills continues to be A1835 (Rosenthal), which would move the cruelty statutes from Agriculture and Markets Law to Penal Law.

One of the wildlife bills of particular interest to NYSHA and animal advocates throughout the state is A4475 (Glick). It would ban “canned hunts”, the shooting of non-native species imported into New York from other states or countries where they are bred and held in enclosures designed to prevent their escape, so they become easy prey for shooters who

pay handsomely for the privilege of killing them.

The proprietors and promoters of such preserves guarantee their patrons an unfettered opportunity to kill a virtually defenseless animal of their choice. In addition to the inherent inhumaneness of this means of acquiring a hunting trophy, it is clearly devoid of any semblance of sportsmanship.

Moreover, whenever any non-native animals do break free of their enclosures (despite the efforts of ranchers to make them escape-proof), they may transmit diseases that threaten indigenous wildlife as well as livestock and even cats and dogs. This is particularly relevant in the case of Eurasian wild boars, one of the species favored by game ranchers. As pointed out in a recent AP article, such animals can carry a highly contagious viral disease to which domestic animals are susceptible.

The wild boar population in some southern states is enormous. In New York, wildlife experts estimate it to be relatively small at this point, but in danger of exploding if left unchecked. Wild boars may not be the only non-native species that could be a problem from the perspective of the Dept. of Environmental Conservation and the Dept. of Agriculture, among others, but the need for New York to ban canned hunts altogether is sharpened by emerging dangers represented by these particularly wily escapees from captive hunt facilities. Ironically, both chambers passed such a ban under Governor Pataki, who vetoed it, and the measure has been stalled in the Legislature ever since.

Please remember to check NYSHA’s website from time to time for legislative updates and a list of select pending bills. We urge you to help move forward those of interest to you that NYSHA supports by contacting your legislators.

Animal Cruelty Investigation Tips

What should be considered when conducting an animal cruelty investigation? Recently, we became aware of an animal cruelty case where problems arose subsequent to the execution of a Search and Seizure Warrant; during the execution of the Search and Seizure Warrant, some of the animals were surrendered. Though a document specifying the surrendered animals was attached to the “Search and Seizure Inventory Receipt and Inventory” (Receipt) document, those animals were not listed on the Receipt. As a result, when charges were lodged involving those surrendered animals, some issues arose. As a result, we are providing this cautionary guidance.

During the course of a cruelty investigation, the owner or person having custody of the animals could decide to give

them up for a variety of reasons. In turn, the police or investigating agency may agree not to file charges, or the DA may decline prosecution on some or all of the charges.

However, when animals are being seized during the execution of a Search Warrant, even if the owner or person having custody of the animals agrees to relinquishment, they must still be listed as seized evidence on the “Receipt” which is to be filed with the court. After the seizure has taken place and a Receipt listing all of the animals has been filed with the court, an agreement may be made for relinquishment. This agreement should be in writing and the District Attorney should be advised before any seized animals are adopted. Animals are

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Be Responsible for Your Own Pet Emergency Plan

We here in Ulster County recently had a rude awakening. Hurricane Irene brought severe flooding to the area, as it did to other parts of the state. Many of us were under the impression that pet owners being evacuated should not have the same problems as the Katrina people did. After all, post Katrina, it did sound as though FEMA promised that now people would be evacuated with their pets. Wrong! Yes, some subset of shelters in the affected areas did allow pets, but others did not. In our immediate area, the Red Cross shelter would not allow pets to be brought in. As to whether that occurred because of the facility rules at the assigned building or because of the Red Cross, is not clear and has to be investigated, but the point is, in many cases, people were on their own to deal with their pets

We know because people were calling NYSHA about some abandoned cats crying in a badly flooded home in the area. We went to the emergency shelter and found the owner who said he left food and water for them, but was told he could not bring them. The expectation was that the local SPCA would help, but it was flooded as well, and in addition was already filled to capacity with animals. Fortunately, we were successful in having the abandoned cats rescued, and they currently are housed in cages with a NYSHA volunteer.

Yet, this does not resolve this case. Because of the catastrophe, the houses that were flooded will not be rehabilitated for 4 to 6 months, and the rentals where the displaced persons are placed have the right to refuse pets. So, if the rental unit refuses to take pets, then what? No volunteer wants to care for

additional animals for 4 to 6 months. Besides which, pets do not fair well in a cage for that amount of time. So does the owner then have to surrender them to the organization that has helped rescue them? What do you do? These are not rhetorical questions; these are the realities of dealing with animals in disasters. We all need to think about them.



Several years ago, many of us went to SART and CART disaster training provided by the NYS Agriculture and Markets Department, but the state only provided the training, not the means to address the problems. It is now clear that we, as humane agencies, need to take a serious look at doing something. But in the meantime, each of us needs to make a plan for our own animals. If a hurricane is predicted, which generally brings rain and flooding, we normally have time to plan. We need to use that time wisely. Ensure your pets are wearing collars with ID, or better yet, micro-

chip them. If you are safe in riding out the storm, check to see you have enough staples for you and your animals. Make sure you have all the pets' medications together. Have your pet carriers at the ready nevertheless. Even better, if you have friends or family on higher ground who would help, transport the animals there. And hope that you can return to your home quickly.

For additional info, go to NYSHA's website and review the Spring 2005 article on disasters: <http://www.nyshumane.org/articles/preparedForDisaster.htm>.

Remember, your pets rely on you, and you need to rely on yourself -- do not assume otherwise. Do not let them down.

Animal Cruelty... *Continued from page 3*

considered evidence and the defendant's attorney has the right to view the same before any relinquishment takes place.

In the case of euthanasia, a request to have a NYS licensed veterinarian euthanize any animal who is so maimed, diseased disabled or infirm as to be unfit for any useful purpose (Ag. & Mkts. Art. 26, Sec. 374) should be included in the Search

Warrant if animals might have to be euthanized. These animals are also evidence and although they might not be able to be held, they must be photographed, documented and included on the "Search and Seizure Receipt and Inventory" sheet. A copy it must be left with the defendant and the original filed with the court.

Your Will Can Be Your Way...

Your will can be your way to continue helping animals after your lifetime. We are grateful that many of you have given NYSHA generous donations. If you also wish to remember NYSHA in your will, please ask your attorney to specify our official name and address as follows: New York State Humane Association, Inc., PO Box 3068, Kingston, NY 12402 • Federal ID Number 22-2238112