



Testimony

of

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New York City Department of Health and Mental Hygiene

before the

New York City Council Committee on Health

on

**Oversight – The Department of Health and Mental Hygiene’s Compliance with
Local Law 59; Improving Animal Care and Control**

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250 Broadway, 16th Floor
New York, NY

Good morning Chairwoman Arroyo and members of the Health Committee. My name is Daniel Kass, and I am the Deputy Commissioner for the Division of Environmental Health at the Department of Health and Mental Hygiene. On behalf of Commissioner Farley, I want to thank you for the opportunity to testify today. Testifying with me today is Risa Weinstock, Interim Executive Director of Animal Care and Control of New York City.

I would like to begin with a brief overview of the Department's public health work as it relates to animals. The Department is responsible for promoting and protecting human health by working to prevent, discover, and intervene in cases of animal-borne diseases. Our work includes issuing state-mandated dog licenses; permitting and inspecting animal handling facilities such as pet shops, animal boarding facilities and pet grooming facilities; licensing and evaluating the conditions of horses working in the commercial riding and carriage industries and issuing permits to boarding stables; receiving and responding to reports of animal bites; and enforcing dog leash and rabies vaccination laws and investigating animal nuisance complaints. We monitor both wildlife and domestic animals for diseases, such as rabies, that can impact human health, and issue permits for the exhibition of wild and exotic animals.

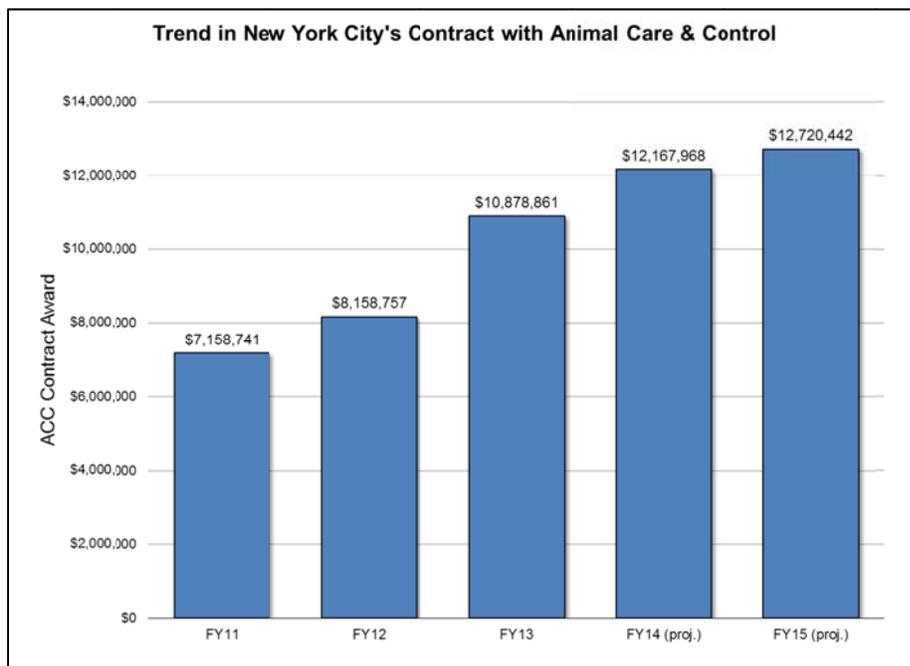
The Department manages and cares for the City's population of owner-surrendered, abandoned and lost animals. The services we carry out, directly or under contract to the nonprofit organization Animal Care & Control of NYC, include: receiving stray, unwanted, dangerous, sick and wild animals, sheltering of animals; provision of medical services including examination, treatment, vaccination, spay/neuter and micro-chipping; and placement of animals via fostering, rescue partner organizations, returns to owners and direct adoption. This is a responsibility we have taken very seriously. Over the last 10 years, and in no small part thanks to the strong support of the City Council, we have greatly improved the services we have provided in the shelters.

To explain the relationship between the Department and Animal Care and Control, I would like to provide a little history. In 1894, the New York State legislature designated the American Society for the Protection of Cruelty to Animals (ASPCA) to be the sole provider of animal control and dog licensing services in the City. The ASPCA ran the program, first independently, then under contract with the Department, until 1995, when it elected not to renew its contract. The Department issued a Request for Proposals seeking a new provider, but when it did not receive an acceptable proposal, the City created a new nonprofit – Animal Care & Control, or AC&C – to manage the animal shelter system. The contract with AC&C has been renewed several times, most recently in 2010.

Today, the Department contracts with AC&C to operate animal shelters in Manhattan, Brooklyn, and Staten Island, and receiving centers in the Bronx and Queens. Our contract describes the scope of service AC&C is to perform, and includes accepting all animals, without regard to condition, age, temperament, or adoptability; operating field services for the retrieval of animals; providing humane treatment and care for animals; carrying out spay and neuter surgeries; and placing animals in new homes, including by adopting them out directly or by collaborating with animal rescue groups for their fostering and permanent placement.

In addition, AC&C performs a vital public safety function by handling dangerous animals, accepting suspected rabid animals and preparing them for testing and working with the Police and Parks Departments, as well as state agencies in managing wildlife. Wildlife, including raccoons, bats, opossums, and other animals can potentially spread rabies to humans, and AC&C provides well trained and experienced staff who can capture and handle these animals without endangering themselves and the public in the process. After capture, AC&C prepares animals for rabies testing as part of a comprehensive citywide rabies surveillance program that works with the Department's Public Health Laboratory. AC&C handles approximately 400 cases per year. AC&C also held more than 750 animals in 2012 that had bitten people and posed a risk for rabies transmission or were brought in by the Police Department. Thanks to the efforts of Council Member Vallone, we now have a Dangerous Dog Board in place to make recommendations for the handling of dangerous dogs.

Under the leadership of this Committee, the City Council enacted Local Law 59 in 2011 as part of a comprehensive plan to enhance New York's animal care and control system. Local Law 59 recognized that committing to robust field, receiving center and shelter services in the short-term would enable the City to improve and expand the scope and quality of its services. The law also required that free-roaming owned cats be sterilized, helping the City reduce the number of unwanted animals entering the shelters. The plan enabled the City to commit to a phased-in 77 percent increase in funding to expand shelter staff and improve services so that sheltered animals would be better cared for. Under the law, AC&C will open animal receiving facilities every day in the Bronx and Queens; maintain routine animal drop-off at the Manhattan shelter 24 hours a day, every day; and expand field services. These elements will roll out over time through fiscal year 2015. In the first year, the City's contribution to AC&C increased by one million dollars, to \$8.16 million. In this fiscal year, the City's contract rose an additional \$2.72 million, to a total of \$10.88 million, the largest single year increase under the plan. Next year, it will grow to \$12.17 million and then to \$12.72 million in 2015.



In addition to these funds, the City has also committed to capital improvements including the purchase of 12 new animal control vans. We are also working with the Department of Design and Construction, Borough President Molinaro and others to build a new shelter on Staten Island that will replace the current building. We are, as of today, also renovating the Bronx receiving center and will undertake painting and modest renovations in other facilities.

I'm pleased to report that AC&C is on track with the planned enhancements. Ms. Weinstock will review the changes made possible by the Local Law 59 in more detail. I would like to say that her leadership at AC&C has been thoughtful, strategic and impactful. AC&C has already increased its staffing levels, expanded operating hours and improved services, and met all of the operational targets set by the Department. As we testified back in 2011, this significant increase in the scope and scale of services of the organization will be phased in over time. It is difficult for any organization to grow quickly, and we anticipated a staged growth that would increase key services and implement quality improvements early on, with additional services coming later as staff are brought on-board, and as new management systems are put in place.

New York City's Shelter Services Expansion Plan		
Service Improvement	Scheduled	Done?
Expand the Queens Receiving Center from 1 to 2 days/8 hrs.	FY2012	✓
Expand the Bronx Receiving Center from 2 to 3 days/8 hrs.	FY2012	✓
Expand the Queens Receiving Center from 2 to 5 days/8 hrs.	FY2013	✓
Expand the Bronx Receiving Center from 3 to 5 days/8 hrs.	FY2013	✓
Field Services coverage from 5 to 7 days/8 hrs. with emergency coverage during off hours.	FY2013	✓
Call Center dispatch services coverage from 5 to 7 days/8 hrs.	FY2013	✓
Increase adoption/placement capacity	FY2013	✓
Expand Bronx and Queens Receiving Centers to 7 days/8 hrs.	FY2014	
Field Services regular coverage to 7 days/12 hrs.	FY2014	
Call Center dispatch services coverage to 7 days/12 hrs.	FY2014	
Expand Bronx and Queens Receiving Centers to 7 days/12 hrs.	FY2015	
Manhattan Shelter intake hours expanded to 7 days/24 hrs.	FY2015	

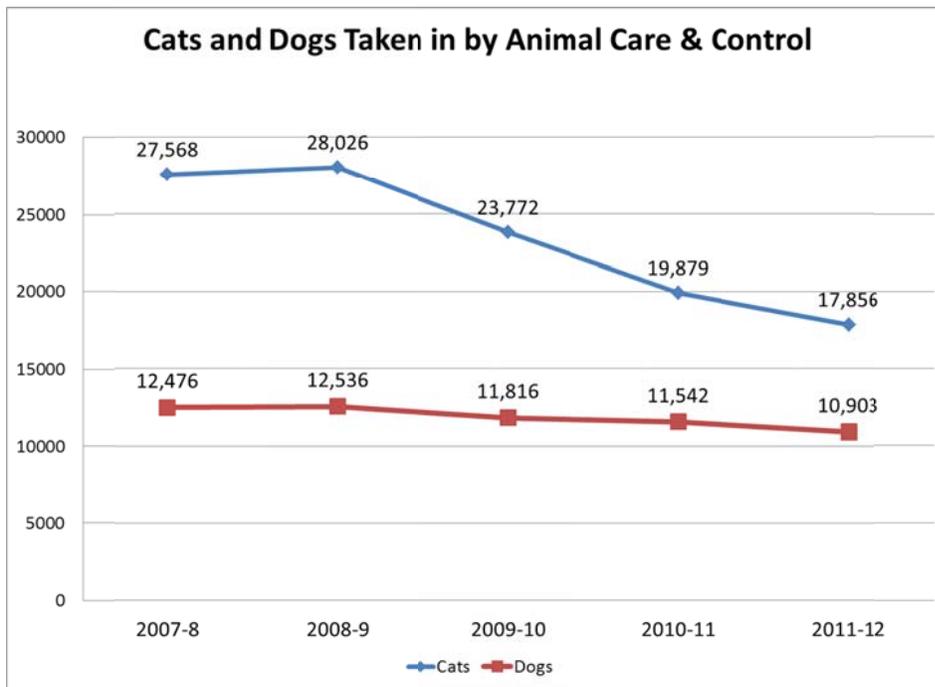
While there are many new employees at AC&C, as you'll hear, hiring has been more challenging than anticipated. We acknowledge that there are more vacancies than we would like, but since Fiscal Year 2011, before Local Law 59 was passed and funding increased, AC&C's staff has grown from 139 to 200 as of this month, a 44 percent increase. As a result, AC&C has been able to deliver on the City's service commitments through a combination of thoughtful assignment of staff, use of overtime, hiring per-diem veterinarians and other strategies. We're

confident that AC&C will be able to fill open positions, especially because the improvements in services make AC&C a more desirable place to work.

You may be aware that the lag in hiring this year resulted in some under-spending on the contract. The Department has enabled AC&C to reallocate much of that savings to cover overtime and part-time costs, and to make up for a large loss of funding by an outside organization that had been supporting its New Hope rescue activity. By the end of the fiscal year, we anticipate that AC&C will have underspent by less than five percent of its City budget.

As the staff and services at AC&C have improved, so too has the outlook for homeless dogs and cats. New Yorkers have about half the number of pets, per capita, than the nation as a whole, in part because of the vertical nature of housing, smaller apartments, and prohibitions on pet ownership in many dwellings. Several reliable surveys find that there are 193 dogs per 1,000 households compared to 391 nationally, and 161 cats for every 1,000 households compared to 321 nationally. The City boasts the lowest per capita intake rate. The shelter system in Albuquerque, New Mexico, for example, takes in more than 40 animals per 1,000 residents; New York City takes in only 3.5 per 1,000 residents. Chicago, which has the next lowest intake rate, takes in a little over 8 for every 1,000 residents.

Not only is the City's intake rate the lowest among big cities, it is falling for both cats and dogs. In 2008, AC&C took in almost 12,500 dogs and more than 27,500 cats. By 2012, the number of dogs entering the AC&C shelter fell 13 percent to just more than 10,900 and the number of cats fell by 35 percent to less than 17,900. It is important to note that even with the expanded days and hours at the Bronx and Queens receiving centers, AC&C has seen no overall increase in animal intake from the Bronx and Queens. The small increase in animal intake in the Bronx and Queens has been offset by a decrease in intakes at the Manhattan and Brooklyn shelters where they have generally been brought. In calendar year 2012, 2,477 animals were brought into the Bronx receiving center and 1,024 entered in Queens. Combining both facilities, this reflects an increase of 754 animals over the previous year, before the expansion of hours. During this same period, the direct intake animals originating in the Bronx and Queens at the full service shelters decreased by 3,476 animals, leading to a net decrease in animals from the Bronx and Queens, despite the additional days receiving centers were open.



Other municipalities across the US are experiencing declines in intake as well. Several factors seem to be contributing to this trend in New York City. First, pet owners appear to be increasingly taking responsibility for spaying and neutering their pets, reducing the numbers of unwanted dogs and cats. The Department has expanded its education and outreach about responsible pet ownership, including the importance of spay/neuter, and animal welfare organizations and veterinarians suggest that animal sterilizations are up around the City. Both the ASPCA and the Toby Project, for example, independently fundraise to promote and provide free and low-cost spay and neuter services across the City, and there is evidence that they are more effectively targeting their services to locations that contribute the greatest number of animals to the shelter system.

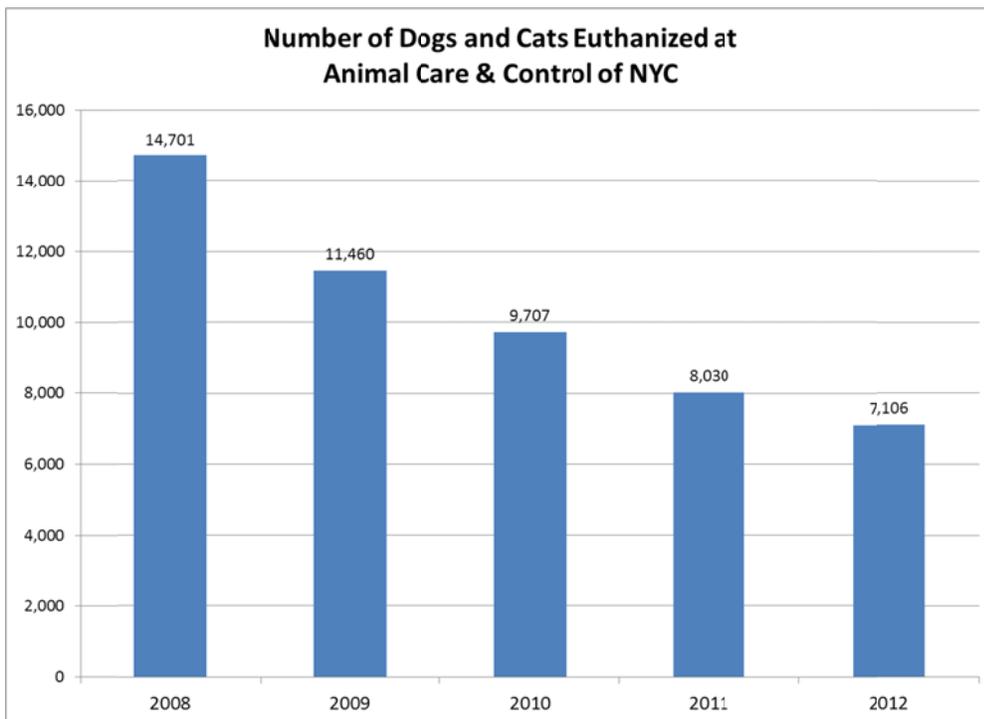
We expect this trend to increase thanks to the Animal Population Control Fund established by the Council in 2010. This allows the Department to provide pet owners who meet certain income qualifications to receive free or low-cost spay/neuter services for their dogs and cats. Using funds collected on the differential cost of licensing unaltered dogs, the Department contracts with the ASPCA and the Toby Project to provide spay and neuter service in every borough, and between December 2012 and March 2013 alone, there were 1,184 surgeries provided under this program. We expect this program to expand, and we are seeking additional providers. We want to thank the Council for its leadership in enacting the law and we expect that, over time, expanded spay/neuter will further reduce shelter intake.

The Department has also been promoting the requirement that free-roaming cats be sterilized in a subway advertising campaign and on social media. It's too early to evaluate the impact of the law but the Department will be evaluating it and will be happy to share those results with the Council.

We believe that animal intake may be down, in part, because the voluntary sector is taking in animals before they even get to AC&C. AC&C is a shelter of last resort, and welcomes animal rescue groups and animal welfare agencies playing a part to directly receive animals and place them in permanent homes.

Not only are fewer animals entering the shelter system, but a greater percentage of animals that enter are successfully placed in permanent homes. In the past five years, the placement rate for cats and dogs has risen from just over half to two-thirds. Much of the improvement in animal placement is due to the strong partnerships AC&C has developed and maintained with animal rescue groups and the excellent work these groups are doing to find new homes for animals. More than 19,000 dogs and cats, about 73 percent of AC&C's placed animals, were placed by rescue partners in 2012. AC&C is also working hard to expand its own in-house adoption program. The details about animal rescue, or New Hope, partnerships and in-house adoption are exciting and I will leave that to Ms. Weinstock's testimony.

Finally, with fewer animals entering the shelter system and more being placed in new homes, the rate of euthanasia has declined significantly. In 2007-2008, about 11,000 cats and more than 3,500 dogs were humanely euthanized. In 2011-2012, just over 5,000 cats and 2,000 dogs were euthanized, reflecting a 50 percent reduction. This reduction is due not just to the decline in animals taken in, but also to the increasing percentage of those animals that are successfully adopted out. At 25 percent of animals brought into New York City's municipal shelter, our euthanasia rate is the lowest of any large U.S. city but one, according to the most recently published results. And just to give you some sense of the scope of this achievement: the euthanasia rate for the Dallas animal shelter system is 70 percent; Chicago's is 57 percent, Miami's is 56 percent, Los Angeles's is 36 percent, Philadelphia's is 30 percent, and San Francisco's is 26 percent.



We want to thank the Speaker Quinn and the Council for its strong support of the animal shelter system, starting well before Local Law 59 was passed in 2011. Two years ago, we pledged that we would significantly enhance services across the City, that we would adequately fund these services, and that we would be effective partners with AC&C and the voluntary sector in doing so. The enhancements to AC&C services made possible by Local Law 59 are well underway and we expect them to be fully implemented by FY2015, as planned. Already, we are witnessing improvements in AC&C operations and in outcomes for the City's homeless animal population. The Department is committed to continuing its work with the Council, AC&C and the voluntary sector to implement effective and innovative solutions to the problem of pet abandonment. It remains important for the City to pursue state legislation to allow New York City to set dog license fees, as can already be done everywhere else in the State. The fee, last revised in the early 1970s does not even pay for the cost of issuance, let alone support the cost of animal care, control and sheltering, as intended. We look forward to working with the Council on that initiative. After Ms. Weinstock testifies, we will be happy to take any questions.