



Testimony

of

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before the

New York City Council Committee on Health

on

**Oversight: Examining Strategies for Increasing Live Outcomes
at Animal Care and Control**

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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 New York City 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, who I am pleased to announce has been selected unanimously by the Board of Directors to be the Executive Director of Animal Care and Control of New York City.

As you know, the Health Department is responsible for promoting and protecting human health, including prevention, discovery, and intervention in cases of animal-borne diseases. Our animal-related work includes: issuing state-mandated dog licenses; permitting and inspecting animal handling facilities such as 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 homeless animals, whether owner-surrendered, abandoned or lost. The services we are responsible to provide, either directly or under contract to the nonprofit organization Animal Care & Control of New York City (AC&C), include: receiving stray, unwanted, dangerous, sick and wild animals; sheltering of animals; providing 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.

Over the last 10 years, and thanks to the strong support of the City Council, the Department and its contractor, AC&C, have greatly improved the services provided in the City's animal shelters. The improvements are ongoing, and there are notable developments even since this April, when Risa and I last sat before this Committee. Under Ms. Weinstock's leadership as Interim Executive Director, AC&C has seen dramatic growth in hiring and retention of staff, as well as improvements in animal care, facility maintenance, and customer service provided to New Yorkers seeking to adopt pets from the shelter. Her appointment will solidify these gains, and continue the expansion plan agreed to under Local Law 59. It is clear that the Department and AC&C are on target to meet all of the milestones toward full compliance in 2015.

With the support of the Council, AC&C's budget will have gone from \$7.16 million in fiscal year 2011 to \$12.72 million by fiscal year 2015 – a 77 percent increase. As a significant measure of the improvement at AC&C, its percentage of animals released has gone up substantially since 2008. 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 that AC&C has developed and maintained with animal rescue groups, and the excellent work these groups do 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. Ms. Weinstock will provide details about these partnerships, and about the expansion of AC&C's own in-house adoption program.

The rate of euthanasia has also declined significantly, as a result of the increased placement rate and the decline in intake that we described in April. Between 2007 and 2012, there has been a 50 percent reduction in the number of animals euthanized, and New York City's municipal shelter system now has the lowest euthanasia rate of any large U.S. city but one.

Under Ms. Weinstock's strong leadership, and with the increase in staff made possible by the Council's support, services have increased dramatically in the shelters and in the field. The Queens Receiving Center has increased its hours from two to five days a week in fiscal year 2013, and the Bronx Receiving Center is now open five days per week, up from three in fiscal year 2012. Field services have been expanded from five to seven days per week over the last year, and adoption and placement capacity has increased as well.

To support these improvements at AC&C, the City is actively pursuing state legislation to allow the Council to set dog license fees, just as other localities around the state are permitted to do. The fee for unaltered dogs, last revised in the early 1970s, no longer even pays for the cost of issuance, let alone offset the cost of animal care, control and sheltering, as intended. We want to thank the Council for the resolution in support of this important bill.

The Department has been asked to comment on the bill to establish a registry of those convicted of animal abuse crimes. This bill has an important goal, which is to prevent those convicted of animal abuse crimes from subsequently acquiring new animals. AC&C already takes steps to ensure that animals are adopted appropriately and not placed with convicted animal-abusers, which Ms. Weinstock can explain in further detail. However, while the Department appreciates the goals of the bill, we have several significant concerns that prevent the City from supporting it.

This bill would require the Health Department to establish and maintain an electronic registry of criminal convictions of offenders of various animal abuse related crimes. The Department is not a criminal justice agency, and has no experience accessing and managing the legal issues concerning arrest and conviction data available to criminal justice and law enforcement agencies.

The bill further requires annual, in-person contact between Health Department staff and convicted animal abusers. Because the Department has no authority to require or receive data from state or federal criminal justice databases to populate a registry with names, the bill puts the onus on the convicted person to report his or her status to the Department. The roles of creating and maintaining a criminal registry would be more appropriately placed with law enforcement or criminal justice agencies, which more typically perform the roles of interviewing and investigation persons with criminal histories. These organizations have access to other databases, and can make sure that people are in fact reporting.

Creating this registry, which would have to be continuously accessible to staff of the Department and the shelters, all the while maintaining privacy and confidentiality needs, would be an expensive undertaking for which there is no current source of funding. The requirement that our agency create a system to hold in-person meetings with registrants on an annual basis,

and verify personal identity information, is an expensive and resource-draining undertaking that would divert staff from other pressing responsibilities which we are mandated to undertake.

The bill places a burden only on shelters to prevent convicted animal abusers from adopting animals; it is unlikely, however, to address this issue that it seeks to correct – as we know that more animals are adopted from animal rescue groups, out-of-state establishments, or purchased from breeders and pet shops. Additionally, it would prohibit anyone required to register -- including people moving to New York from other parts of the state, or elsewhere in the country or the world -- from owning a dog or cat. Because we do not and cannot know who these people may be, we have no way of evaluating compliance and non-compliance.

In summary, because the magnitude of the problem of animal cruelty as measured by the number of convictions is small, and the bill requires individuals to self-identify, and does not cut off a supply of animals beyond the shelter system, we believe that the bill would be ineffective in achieving its goals.

We want to thank Speaker Quinn and the Council for their strong support of the animal shelter system and the opportunity to testify today. After Ms. Weinstock testifies, we will be happy to take any questions.