



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo & District Attorney Rice Announce Legislation to Strengthen Animal Cruelty Laws & Increase Penalties for Animal Abusers

CHARLES J. FUSCHILLO JR. April 24, 2012

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Photo caption: Senator Fuschillo (second right) and District Attorney Rice (center) visit the Animal Lovers League of Glen Cove to announce new legislation to strengthen the state's animal cruelty laws. They are joined by (l-r) Assemblymember Linda Rosenthal, Assemblymember Charles Lavine, and Senator Carl Marcellino.

Senator Charles J. Fuschillo, Jr. (R-Merrick) recently joined with Nassau County District Attorney Kathleen Rice in announcing new legislation to enhance the state's animal cruelty

laws and increase penalties for those who abuse animals. Senator Fuschillo is sponsoring the legislation in the Senate.

“This legislation would strengthen New York's animal crime laws,” said Senator Fuschillo. “Law enforcement officials need stronger tools to prosecute cases of animal cruelty and ensure that animal abusers are held accountable for their heartless crimes. No animal should have to suffer at the hands of an abuser.”

“Animals hold a special place in our society, one that has changed dramatically since the criminal statutes were first written,” District Attorney Rice said. “Today household pets and domestic animals are more than just property. They are beloved friends, trusted protectors, and members of our families. The changes outlined in this proposed legislation not only serve to modernize and simplify existing law, but give a voice to the voiceless and hold accountable those who abuse and neglect these innocent creatures.”

The legislation (S6730) would move crimes like animal cruelty and dogfighting from the Agriculture & Markets Law section to Penal Law section of the state criminal code, making it easier for law enforcement to access, interpret, and act on the law and appropriately charge suspected animal abusers. In addition, it would also modernize language, toughen existing statutes, create new charges, and increase the maximum prison sentence for severe cases of animal cruelty and animal fighting.

Additional provisions of the legislation include:

- Felony Animal Fighting, Animal Cruelty in the First Degree, Killing or Injuring a Police Animal, and Harming an Animal Trained to Aid a Person with a Disability in the First Degree would be classified as Class D felonies and punishable by up to 7 years in prison.

- Enhanced penalties for repeat offenders. For example, an offender who commits Animal Cruelty in the Second Degree twice in 10 years will be charged with Animal Cruelty in the First Degree.

- Allows an offender to be charged with Criminal Possession of a Weapon in the Fourth Degree should they possess a dangerous or deadly weapon with the intent to use it unlawfully against an animal. Under current law, only humans are protected under this charge.

- Creates four brand new charges: Animal Adultery in the First through Third Degrees, and Endangering the Welfare of an Animal.

The legislation is “fully supported” by the Nassau County Society for the Prevention of Cruelty to Animals, which noted in a memo of support that the legislation would “allow for the maximum promise and potential in protecting animals in New York State.