



Testimony

of

**Daniel Kass, MSPH
Deputy Commissioner, Division of Environmental Health
New York City Department of Health and Mental Hygiene**

before the

New York City Council Committee on Health

On

Oversight - Animal Care and Control: Recent Progress and Opportunities for Improvement in the
NYC Animal Shelter System

And

Intro 485-2014 - A Local Law to amend the Administrative code of the City of New York,
in relation to Animal Shelters.

**February 25, 2015
250 Broadway, 14th Floor, Committee Room
New York City**

Good morning, Chairman Johnson 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. I am joined by Mario Merlino, the Department's Assistant Commissioner overseeing veterinary health. On behalf of Commissioner Bassett, thank you for the opportunity to testify today.

As you know, the Department has recently testified before the Council on a number of animal welfare-related issues. We testified in support of Local Law 15, which requires pet shops that sell dogs and cats to obtain a permit from the Department. That law also directs our agency to enforce provisions related to animal welfare, the sourcing of animals, and the conditions of their sale. We are currently in the process of developing rules related to the permitting and enforcement provisions of the legislation. In addition, we testified before the Committee on State & Federal Legislation, on a bill that would empower New York City to set its own dog licensing fees. I want to thank the Council for the Home Rule message that was delivered to Albany in support of that effort, and I am pleased to report that State legislation was signed into law in December. We now look forward to partnering with Council on legislation that will enhance dog licensing efforts. Other recent collaborations between our Department and the Council include establishing the Animal Population Control Fund, which disburses monies collected from the licensing of unsterilized dogs to support free spay and neuter services for dogs and cats for low-income New Yorkers. Thank you, Chair Johnson, and thank you to all members of this committee, for your work on these initiatives.

The Health Department oversees the animal sheltering system, which is administered by its contractor, Animal Care and Control of New York City (AC&C). AC&C provides field rescue services and accepts, cares for, and temporarily shelters abandoned or unwanted animals before finding them permanent homes. AC&C runs the only open-admissions shelter in New York City, which means that it never turns away any abandoned or stray animal. AC&C receives more than 30,000 cats, dogs, rabbits, small mammals, reptiles, birds, farm and wild animals each year. It is the only organization in New York City trusted with this responsibility.

The City is making significant progress in meeting the commitments required by Local Law 59, which was passed into law in 2011. Over the last five years, the Council, the Health Department, and AC&C have worked together to transform the City's approach to animal care. These efforts have resulted in a shelter system that is better funded, and better performing, than at any other time in its history.

AC&C operates three full service shelters, two receiving centers, a mobile adoption center and a robust field response unit. At full-service shelters, animals are housed, fed, treated and cared for. At these shelters, animals can be placed in homes in a number of ways: adoption directly from the shelter; transfer to one of AC&C's partner organizations, which in turn places the animals; or adoption at off-site events, through AC&C's mobile adoption center. Before AC&C accepts an animal, it interviews people to determine the cause for the surrender, and may provide veterinary care or guidance on strategies that enable the person to keep their pet. Some animals that are sick and suffering are humanely euthanized at their owner's request, often because they do not have or cannot afford a veterinarian to humanely euthanize their animal. Some animals are euthanized because an animal has behavioral issues or illnesses that make it difficult to place the animal in a home.

AC&C operates centers in the Bronx and Queens where animals may be dropped off. Animals are transferred from these facilities, multiple times a day, to the full-service shelters. All animals adopted by New Yorkers from AC&C are spayed or neutered, vaccinated, and micro chipped, and all dogs are licensed. AC&C also maintains partnerships with 289 rescue organizations, which are required to sterilize the animals and license the dogs before placing the animals in an adoptive home. AC&C provides other services that support the humane treatment of animals, promotes responsible pet ownership, and helps reduce the number of unwanted animals.

The funding AC&C receives is a critical measure of support for its work, but how that money is used and what it achieves is also important to assess. Since 2011, AC&C has nearly doubled its staff, with significant increases in the number of veterinarians and licensed veterinary technicians and the hiring of a chief veterinarian and a medical director. Funding is also provided for a well-staffed behavioral assessment unit at the shelters, which enables AC&C to better assess dogs and ensure they are placed in the proper home. By physically segregating the surrender of animals from their adoption, AC&C is now able to interview people surrendering animals, and better understand each pet's unique qualities and needs and provide better customer service to the thousands of people who adopt animals.

AC&C, with the City's support, now opens its shelters and receiving centers to the public seven days a week, 12 hours a day. In addition, the Manhattan shelter is open for emergencies 24 hours per day. Staff members are present at the shelters all day and night, every day of the year. The contract with AC&C requires that it conduct field rescue and pickup operations 12 hours per day, and overnight for emergencies. I am pleased to report that the City has exceeded its commitment to increase AC&C's budget. In 2011, AC&C was funded at \$7.1 million. Since that time, AC&C's budget now exceeds \$13 million, reflecting an 82 percent increase in funding. Despite repeated budget cuts to the Department, the funding to AC&C *increased* in each of the last four years. And I would be remiss if I did not mention the exceptional leadership of Risa Weinstock, the Executive Director of AC&C, who has managed this significant expansion.

Earlier this year, the Administration announced several additional enhancements to support continued improvements in the shelter system. The City will spend \$8.5 million on a variety of upgrades to the shelter system. Funding is being provided to reengineer the heating and ventilation system at the Brooklyn shelter to create more isolated fresh air zones and improve overall climate control. In Manhattan, the Health Department, in conjunction with AC&C and its partners, will design and construct a dedicated adoption center that will improve customer service, enable more interaction between animals and their prospective adopters, and free up more space for the care and sheltering of animals. The Administration is also providing funding to increase the fleet of mobile adoption units used by AC&C, dedicating them to the Bronx and Queens to improve local adoption options. Funds have also been provided to enhance AC&C's ability to fundraise from private sources.

New York City's shelter system was originally built and managed by the American Society for the Protection of Cruelty to Animals. When the shelters were turned over to the City, the live release rate was around 30 percent. Today, the live release is 80.7 percent, making our shelter system among the most successful of any big city in the United States.

Many challenges remain in managing the City's unwanted animal population. Cats continue to produce litters that exceed the number of people who want to own or adopt them.

Dogs are abandoned at far higher rates in some neighborhoods than others. Together, the Health Department and AC&C are working to better understand these issues, and to direct staff and funding resources to address them. This year, the Department will provide \$505,000 to organizations to perform free spay and neuter services in neighborhoods with the greatest rates of abandonment. Other organizations around the City provide targeted spay and neuter services, and without them, we are sure the problem of abandonment would be far worse. New York City has a comparatively low rate of intake at its municipal shelter, owing in part to lower pet ownership rates, but also to the exceptional and coordinated work of hundreds of organizations dedicated to rescuing and finding homes for abandoned animals.

The City, working alongside the Council, has made significant improvements to the animal shelter system across New York City. We look forward to building on those successes. Thank you for the opportunity to testify and for your continued partnership on this issue. We are happy to answer any questions.



**Mayor's Alliance
for NYC's Animals***

Jane Hoffman, President

Mayor's Alliance for NYC's Animals

*Hearing before the New York City Council's Committee on Health
Int. No. 485 Oversight – Animal Care & Control: Recent Progress and
Opportunities for Improvement in the NYC Animal Shelter System*

Wednesday, February 25, 2015

Good morning. My name is Jane Hoffman and I am President of the Mayor's Alliance for NYC's Animals. I'd like to thank the Chair of the Health Committee Council Member Johnson and the Members of the Health Committee for the opportunity to speak today on Int. No. 485, introduced by Council Member Vallone, which would amend the administrative code of the City of New York by requiring full-service animal shelters to be built in Queens and the Bronx, bringing the total number of Animal Care & Control of NYC (AC&C) shelters to five.

In 2012, the enactment of Local Law 59 restored and expanded services provided by AC&C and eliminated the mandate that the City provide full-service shelters in all five boroughs. At that time, construction and operation of two new, state-of-the-art, full-service shelters were not financially feasible. However, Local Law 59, by substantially increasing funding to AC&C, allowed AC&C to improve its organizational competency exponentially while providing a safety net for the animals and improved services for residents of Queens and the Bronx. In lieu of two new, full-service shelters, the hours of operation at the Receiving Centers in both boroughs were increased to 12 hours a day, seven days a week, mirroring the hours of the full-service shelters in Manhattan, Brooklyn and Staten Island. AC&C's Field Services were expanded, both in their days and hours of operation and in the number of field services staff.

Int. No. 485 currently removes the language mandating the Receiving Centers to be maintained seven days a week, 12 hours a day, which currently provides a safety net for the animals in Queens and the Bronx. Will those Receiving Centers remain open until new, state-of-the-art shelters are operating, or will they be closed 180 days after the local law is enacted?

Despite not having full-service shelters in all five boroughs, AC&C and its community partners, including the Mayor's Alliance for NYC's Animals, the ASPCA, and more than 100 other shelters and rescue groups that participate in the community collaboration, increased the live release rate in New York City from 26% in 2003 to 85% in 2014. New York City has the lowest euthanasia per capita for any major metropolitan area.

There are a number of good reasons to have a full-service shelter in every borough: 1) to better facilitate lost-and-found to reunite lost pets with their owners; 2) quicker access to AC&C's veterinary staff; and 3) more convenient access to AC&C's adoption services for those seeking to adopt a pet in Queens or the Bronx.

However, it was announced at the last AC&C Board meeting that AC&C would double its fleet of adoption vans, which will increase AC&C's ability to offer off-site adoptions to New Yorkers outside of the shelters. In addition, space at the Manhattan shelter will be increased, thanks to an infusion of capital funding.

So while building new, state-of-the-art shelters in Queens and the Bronx would be desirable, each of the two shelters could require capital funding of at least \$20 to \$25 million to build, and will require an estimated \$7 million annually to properly staff and operate each shelter. At present, the Mayor's 2015/2016 budget does not mention any additional funding to support two new shelters.

To pass a bill mandating the creation of two new shelters - which must be state of the art - without ensuring sufficient capital and operating funding could be disastrous, and would risk setting us back in our progress toward saving lives. We look forward to working with the Council and the Administration to ensure that the funding will be available in the Mayor's Budget and that we do not once again have an unfunded mandate.

Thank you.



BRONX BOROUGH PRESIDENT RUBEN DIAZ JR.

**TESTIMONY OF BRONX BOROUGH PRESIDENT RUBEN DIAZ JR.
IN SUPPORT OF INTRO 485 TO THE NYC COMMITTEE ON HEALTH
FEBRUARY 25, 2015**

Good Morning, my name is Thomas Lucania and the Director of Community Boards and Legislative Affairs, for Bronx Borough President Ruben Diaz Jr. and I am here today to testify, on his behalf, in support of Intro 485.

I am in favor of the creation of a new, full service animal shelter in my home borough of The Bronx, as well as one in my neighboring borough of Queens.

For many years, we have heard the concerns of animal lovers and animal rights activists in my borough, who have decried the lack of a full service animal shelter in The Bronx.

As has been noted numerous times, the lack of a full service animal shelter in The Bronx has resulted in animals suffering in a variety of ways, as receiving centers do not provide shelter or medical care for homeless animals. Current shelters do not provide a lost and found for lost pets before they're euthanized, either.

It has also been noted that animals brought to these receiving centers in the Bronx and Queens are currently transported to a full service shelter in the other boroughs, which places incredible pressure on the existing facilities. These facilities already operate beyond maximum capacity.

This needs to end. We can no longer accept such unequal treatment.

I urge that the Committee on Health pass this legislation as soon as possible.

NYCLASS

WE LOVE ANIMALS AND WE VOTE!

Good afternoon. My name is Chelsie Schadt, Lead Organizer of NYCLASS. We thank the Chairman and Health Committee for the opportunity to testify on Intro Number 485.

We support the building of full-service animal shelters in the Bronx and Queens. Presently, these boroughs, unlike Manhattan, Brooklyn, and Staten Island, have only animal receiving centers, which provide neither sheltering nor medical services for homeless animals. Instead, animals brought to these centers must be transported to already overcrowded shelters in Brooklyn and Manhattan.

Maintaining full-service shelters in all five boroughs is necessary to ensure that all New Yorkers have access to important Animal Control Services and to alleviate the strain currently placed on shelters in Manhattan, Brooklyn, and Staten Island. However, the AC&C must be funded at a level that enables it to do its job of providing shelter, care and field services in all five boroughs. Over the long term, investment in a quality animal care and control program will result in a smaller stray population, fewer animals seized as victims of cruelty and a reduction in the number of adoptable animals euthanized merely because there is not enough room to house and care for them.

We want to be clear that if the city is to build shelters in the Bronx and Queen, there must also be a commitment to provide annual recurring operating funds to run them. Five full service shelters cannot operate at the current funding level.

One very important way to raise revenue to accomplish these goals is raising the base dog license fee and increase voluntary compliance with the dog licensing law. We recommend creation of public education campaigns highlighting the benefits of dog licensing (increasing the chance of finding a lost pet, helping to fund animal welfare in New York City) in conjunction with short license amnesty periods. We also urge support for legislation to mandate dog licensing at "point of transfer;" i.e., adoption or sale, and authorizing veterinarians, humane societies, shelters, pet shops, boarding, grooming and training facilities to sell dog licenses. DOHMH and the relevant stakeholders should contribute toward development of creative ways to increase voluntary compliance with dog licensing and should continue to meet regularly to share ideas, troubleshoot problems and develop plans for putting ideas into action.

Thank you for helping to create a more humane NYC for all residents, two legged and four legged.

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FOR THE RECORD

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February 25, 2015**FOR THE RECORD**

Testimony before the Health Committee of the NYC Council, On Animal Care and Control: Recent Opportunities for Improvement in the NYC Animal Shelter System. **In support of Intro., No., 485**

Prepared by: Elizabeth M. Garcia, Esq., RN

I am a volunteer attorney with New Beginning Animal Rescue (NBAR), Inc., 501 (c) (3), the only full service no-kill animal shelter in Bronx County. NBAR was founded by Pedro Rosario, a former Animal Care & Control Officer for over 15 years. He had a vision to create a full service dog training, boarding and grooming facility. In 2010 Pedro cashed in his 401 K retirement funds and began Top Dog, as a business endeavor.

In less than a year, many dog owners who had arranged to board their dogs at Top Dog did not return. Further, dogs were being left tied up outside of Top Dog, and boxes of kittens were found abandoned outside of Top Dog's door. NYC New Beginning Animal Rescue was born. The pro bono project of The Law Firm of Sullivan & Cromwell, filed all the required documents with the IRS as well as with the State of NY.

NBAR is an animal sanctuary which houses, stray, abandoned and abused animals, in a 5,000 square foot duplex level building in the East Bronx. It is open seven days a week, staffed full-time by Pedro Rosario and two assistances, one of whom is a graduate of Green Chimneys animal husbandry program; everyone else at NBAR is a volunteer.

In 2013, over 800 dogs and cats came through the doors of NBAR, with over 350 adoptions, some of the animals were transferred too other no-kill shelters. In 2014, more than 1,100, dogs and cats come through NBAR doors, some as boarders from other rescue groups; adoptions in 2014 were close to 400. Currently, there are 65 dogs and 53 cats being housed at NBAR.

NBAR fully supports, Int. No. 485, an amendment to § 17-803, of the NYC Administrative Code, in order to establish full-service shelters in each Borough, including the Bronx. However, in the interim as NBAR is a fully functioning, community supported animal shelter, we respectfully request that NBAR be consider as a site for the Bronx animal shelter. We invite the Health Committee of the NYC Council to a field visit of our shelter. We are proud to note the following is a list, albeit not an exhaustive one, of friends and supporters of NBAR:

City Council Member Annabel Palma
NYS Senator Jeffery Klein
Congressman Jose Serrano
Assemblyman Marcos A. Crespo
Assemblyman Luis Sepulveda
CB 9 Chair, William Rivera

Respectfully submitted,
Elizabeth M. Garcia

Good Morning, I am Roxanne Delgado, a long time Bronx resident. Thank you Chairperson Johnson and the committee on Health for the opportunity to testify in support of Into 0485 -2014 introduced by council member Vallone.

If a city on its own, the Bronx with its 1.4 million population would rank as one the top ten largest cites in the nation, yet cities with 1/2 of its population have full service shelters. The Bronx has been underserved to the detriment of healthy and adoptable animals. Even though the “store front” drop off shelter in Fordham Plaza increased its hours of operation to 12 hours daily, space remained the same. The humane remedy would have been increased capacity by following the original law in 2000 mandating a

shelter in the Bronx to prevent the killing of animals for no other reason but lack of space.

My concern is what kind of shelter will be in the Bronx. Will it be a killing site for unwanted and/or lost pets? Or will it provide basic care for these homeless pets and actively seek homes for them. And will it assists us with TNR?

From my personal experience as a TNR (Trap-Neuter-Release) Caretaker in the Bronx, there are limited resources available. Several of the feral cat groups provide training and traps. However, what has been an issue for many of us in the Bronx are transportation and a lack of holding space for feral cats after surgery. I really want the Animal Care and

Control to address this hurdle many of us face in the Bronx. TNR does work and can reduce the homeless cat population and balances the neighborhood. Cats keep rats away, however, people do complain when there are too many cats in their space.

Some of us in the Bronx have to take it unto our own hands, sometimes from generation to generation, rescuing a few of the homeless pet population in the Bronx because of the lack of a shelter. My childhood memories include more than a few late night train rides with my mom to 110th street shelter to surrender strays including dogs found tied to poles in front of Fordham Plaza intake center. I have rescue strays, some had happy endings and others had sad endings. There are so many homeless pets but so few of

us to help them and the few are often overwhelmed emotionally and/or financially.

Why care? Because pets not only feel pain but they love, they love their humans, and they want to live. And a society that harms such creatures will never flourish as a whole. So please bring us a shelter so the Bronx can flourish.

**Roxanne Delgado
1130 Pelham parkway South
Bronx, NY 10461**

SHELTER REFORM ACTION COMMITTEE

info@shelterreform.org

February 25, 2015

Good morning. I'm Esther Koslow, President of Shelter Reform Action Committee. For 20 years Shelter Reform has sought to reform NYC's Animal Care & Control by freeing it from the Department of Health. But to this very day Health officials and AC&C executives persist in claiming that the AC&C is and has always been an "independent" charity.

If only that were true.

Granted, thanks to Mayor de Blasio, the Department of Health is being a bit nicer to the AC&C. It has increased funding, has promised to build a small adoptions center, and has allowed the AC&C Board to add more "independent" directors.

Sounds nice. But the truth is that the DOH is still very much in control and its recent gifts fall far short of what's needed. Most important, the DOH is looking to the AC&C to make up the shortfall of monies needed to run a progressive shelter.

The Catch 22 is that as long as the AC&C is tied to the DOH, it can't hope to attract that kind of money. Saying the AC&C is independent doesn't make it so.

But this can change. Shelter Reform submits that this Committee should encourage AC&C's "independent" directors to actually assert their independence. For starters, remove voting privileges for the 3 government directors. And certainly remove all DOH loyalists and apologists from the board.

Then the AC&C can truthfully say "We are independent" and start attracting board members who are BOTH committed to animal welfare AND have the skills or connections to make dramatic changes.

One change: fundraising, which ties directly to Councilmember Paul Vallone's shelters bill. The cost of building and running new shelters has increased dramatically since the DOH was first ordered to do so 15 years ago.

Will the City Council pass a bill that not only guarantees those shelters will be built and by a certain time, but also that they'll be well-designed and not located in godforsaken areas? Should we really leave it up to the DOH to make those decisions?

Let's help the DOH. An independent AC&C could enter into a public/private partnership with the City. If the City were to offer tax incentives, the shelters could serve as anchors to attract animal-related businesses: like a Petco or Petsmart; a dog-grooming facility; a vet's office; a public dog run; or dog boarding and training facility. The shelter would be in the center of a go-to destination for animal lovers.

Would a real estate mogul donate property to the DOH? Not likely. But to a well-run, independent charity ... particularly if the deal were sweetened with tax incentives? Now, that's a real possibility. And with private donations supplementing DOH funding, the AC&C could have state-of-the-art facilities. These shelters wouldn't be viewed as a blight on a neighborhood, but as welcomed additions.

This *can* happen, but *only* if there's a truly independent AC&C. Will this Committee join us in that goal?

Thank you.



Jeff Dorson, Louisiana State Director
Garo Alexanian, New York State Director
Peter Goetz, North Carolina State Director
718-544-PETS (7387)
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TESTIMONY OF GARO ALEXANIAN

Honorable Members of the Council:

I have testified numerous times at Council hearings over the past thirty years. In 1990 to create borough-wide animal control agencies rather than one centralized agency, for which I authored state legislation which forced the creation of the ACC, a compromise I struck at my meeting with then Mayor Giuliani. In 2000 I testified seeking permission to permit our not for profit organization to found a surrender prevention program at ACC, which then Health Commissioner Thomas Frieden granted at my meeting with him. The program is now funded and operated by a charitable organization and receives all the 311 animal related calls, at no expense to the city. In 2007 I testified seeking permission to launch low cost mobile veterinary services at the ACC shelters in order to prevent medical surrenders, which had been the reason for the bulk of surrenders since the beginning of time, which was again granted by Commissioner Frieden. The Low Cost Vet Mobile is now a legend, with numerous media reports on its creative way of reducing euthanasia and expenses to the city, even a half hour television special news report as far away as Moscow. A first and one of a kind in the world, the Vet Mobiles which we have operated for the past five years have resulted in the reduction of surrenders to ACC by one third, whereas for decades prior, surrenders had basically stayed the same.

Today, I testify to inform you that our not for profit organization is under contract to purchase a 6,300 sq ft building in the heart of Queens, with exceedingly prominent exposure located on a major thoroughfare. We intend to open a 24 hr low cost veterinary, adoption, and animal community center, including living quarters for staff and volunteers. The building is properly zoned for such an endeavor and will have cost us approximately \$2 million dollars after remodeling. We offer and propose the City to consider separating the animal control contract for Queens, the nations 7th largest city if it were to be a city, and thereby lift the Queens burden from the Brooklyn ACC shelter. I urge the City to think creatively, as did Mayor Giuliani, and Commissioner Frieden, both of whose visionary planning resulted in historic improvements in NYC animal control in a short twenty years, and try a pilot effort at decentralizing animal control services. As a direct consequence, this City is now and has been for the past two years, the lowest per capita euthanasia region in the nation at just .8 dogs and cats killed per 1000 residents, a historic low. The rest of the nation's average is at 16 and the next lowest region is at 1.9, twice that of New York.

For decades the City alone has been unable to obtain a building in Queens in the proper location due to failure to obtain ULURP approval from community boards. We in the private humane community will soon possess THE building and THE location for a Queens animal control shelter. Private entities do not need ULURP approval. By partnering with a different charitable organization than the ACC to provide Queens Animal Control services, the City would no longer be putting all its eggs in one basket, and would be creating both a friendly competition for better and more cost-effective services and a mutually supportive relationship. Queens Borough President Melinda Katz, then an Assemblywoman, was the primary sponsor of my state legislation which sought to create borough wide animal control organizations, which resulted in the formation of the ACC. I am virtually certain that she would still enthusiastically support our proposal to decentralize animal control services, at least as a pilot program in Queens.

I ask the Health Department to reach out to us in such a partnership, as it is well settled that private and public entities in collaboration can accomplish what neither one can without the other. Let's make New York City's animal control services the most cost-effective and humane agency city in the world.



THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Julie Morris
Senior Vice President of Community Outreach

AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY
TO ANIMALS

*Hearing before the New York City Council's Committee on Health
Intro. 485 and Oversight: Animal Care and Control – Recent Progress and
Opportunities for Improvement in the NYC Animal Shelter System*

February 25, 2015

Good morning. I am Julie Morris, Senior Vice President of Community Outreach for the American Society for the Prevention of Cruelty to Animals (ASPCA). I would like to thank the City Council Committee on Health for the opportunity to discuss the progress made by Animal Care and Control (AC&C) and to make recommendations for improving New York City's shelter system.

I have worked in animal sheltering for over thirty years, the majority of time in a variety of progressively responsible management positions including Executive Director. I headed the Humane Society of Huron Valley (Ann Arbor, MI) and the Michigan Humane Society (Detroit, MI) for many years. In my current position at the ASPCA, I oversee six departments that work to provide positive outcomes for animals at risk including the ASPCA Adoption Center, Community Initiatives, ProLearning, Veterinary Outreach, Grants, and Research and Development.

The creation and sustainability of a comprehensive and effective animal care control program in New York City requires the collaboration of many groups including the ASPCA, the Mayor's Alliance for New York City's Animals and its over one hundred and fifty plus rescue groups working daily in collaboration with AC&C. Our goal is to increase adoptions and transfers; increase the number of spay/neuter surgeries, reduce euthanasia and reduce intake through trap, neuter, return. For all these groups to work effectively and successfully it requires that AC&C be funded at levels where it will be able to do its job of providing adequate sheltering and care, adoption services, field services and provision of all other necessary services- in all five boroughs.

The hard work and collaboration of the partnership in conjunction with the positive changes made by Local Law 59 has produced positive results for the city's homeless animals. Local Law 59 restored and expanded services provided by New York City's shelter system and provided AC&C with a much needed 77% budget increase. This influx of resources allowed AC&C to improve the shelter system by hiring more staff, expanding hours of operations for receiving centers in the Bronx and Queens, the call center, and emergency field rescue. This has resulted in increased adoptions as well as a greater ability to respond in a timely manner to

animals in jeopardy. We measure progress by using Live Release Rate (LRR) statistics. LRR refers to the number of animals leaving the shelter system alive, whether through adoption, return to owner, or transfer to an agency where adoption is guaranteed. LRR does not include animals that are still in the shelter because their final disposition is not yet known. In 2003, AC&C had a LRR of 26% and the euthanasia rate was 61.1%. The LRR for January is 88.8%. This data illustrates how an investment in animal care and control can change things for the better. However, there is still much to do, and establishing full-service shelters in each borough is an essential step to getting us to a place where no adoptable animal dies.

The funding levels established by Local Law 59 were a good start, but to take full advantage of the stakeholder partnerships and realize the vision for the animal care and control system New York City needs and deserves- further investment is needed. Building full-service animal shelters in the Bronx and Queens would alleviate overcrowding in the existing shelters, increase opportunities for people to adopt animals, increase opportunities to reunite lost pets and their owners, decrease the number of dogs and cats euthanized, as well as enable AC&C to save more lives and prevent animal suffering.

In my experience working with shelters at a national level, it is hard to comprehend how two boroughs as large and densely populated as the Bronx and Queens do not have municipal full-service animal shelters. We recommend providing the proper funding to build and maintain state of the art shelters in these boroughs, as well as placing them in neighborhoods that are accessible to public transportation so that people can make full use of them. The city must recognize that this is an ongoing investment. Once we build the shelters we need to ensure that we provide AC&C with the operating funds to run them.

The ASPCA will continue to work with the Council, AC&C, the NYC Department of Health, and the Mayor's Alliance in hopes of creating a more humane community.

Thank you.



THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Matthew Bershadker
President & CEO

**AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY
TO ANIMALS**

*Hearing before the New York City Council's Committee on Health
Intro. 485 and Oversight: Animal Care and Control – Recent Progress and
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February 25, 2015

Good morning. My name is Matt Bershadker. I am the President and CEO of the ASPCA. I would like to thank Councilmember Vallone for introducing this very necessary and long overdue legislation as well as Chairman Johnson and the members of the Health Committee for the opportunity to testify today in support of Intro. 485, which would require that a full-service animal shelter is established and maintained in every borough.

As you know, this is not a new conversation; it is one that the city has struggled with for over a decade. The lack of full-service animal shelters in the Bronx and Queens has long been a source of frustration for its residents, as well as the ASPCA and its animal welfare partners. Despite a law enacted in 2000 expressly mandating five full-service shelters and an effective-date of 2006, these shelters were never built. Since then, the ASPCA has spent upwards of \$300 million on NYC- based services. It is both remarkable and unconscionable, respectfully, that we have been having this conversation for 15 years.

Indeed, lack of funding has been a major obstacle to our joint efforts to save the city's homeless animals, and with the passage of Local Law 59 in 2012 and much-needed funding increases to Animal Care and Control we were able to mitigate many of the problems AC&C was experiencing. The restoration and expansion of animal care and control services was a critical first step in the long-term rebuilding of the New York City shelter system. Now, under the careful guidance and strong leadership of Executive Director Risa Weinstock, AC&C has consistently made improvements that continue to drive a higher live release rate, and we're confident that if the city properly invests in a quality animal care and control program throughout the five boroughs, we will see unprecedented progress for our most vulnerable residents.

However, the need for full-service animal shelters in the Bronx and Queens remains dire. Presently, these boroughs only have animal receiving centers, which do not provide permanent shelter, medical, or adoption services for homeless animals. Instead, animals brought to these centers must be transported to already taxed shelters in Brooklyn and Manhattan, which creates the unnecessary problem of moving lost animals far from the neighborhoods where they are found. This in turn makes it harder for owners to find their beloved pets. For decades this situation has shortchanged taxpayers, depriving them of a basic municipal service in their own

communities. Putting the problem in perspective, if the Bronx and Queens were a single city, their combined population of nearly 3.6 million people would make them the third largest city in the country. Given the size and population of these boroughs, it is inconceivable that in 2015 they still do not have a shelter. Nearly all the members of the Bronx and Queens delegations agree with this point and support dedicating funds to build and operate shelters in their boroughs.

We urge the City Council to pass and appropriately fund Intro. 485. We need to ensure that New Yorkers, no matter where they reside, can access these very important community services.

We stand ready to work with AC&C and the Department of Health and Mental Hygiene to support the city through this substantial, but needed change.

Thank you.



**Testimony of
Risa Weinstock, Executive Director
Animal Care & Control of NYC**

Before the

New York City Council Committee on Health

**Hearing on
Oversight: Animal Care & Control of NYC /Recent Progress and Opportunities
for Improvement in the NYC Animal Shelter System
and
Int. No. 485 – In relation to animal shelters**

February ~~25~~, 2015
10:00 a.m.
250 Broadway, 14th Floor
New York, NY

Good morning Chairman Johnson and members of the Health Committee. My name is Risa Weinstock and I am the Executive Director and General Counsel of Animal Care & Control of NYC (AC&C). Thank you for the opportunity to testify at today's oversight hearing concerning AC&C's recent progress and opportunities for improvement in the NYC animal shelter system.

AC&C has made marked progress over the last several years as a result of City Council's passage of Local Law 59 in 2011. I would like to thank the Council for its support of AC&C and the significant increase in our funding that was made possible by that law. In FY2011 AC&C's budget was \$7.1 million and over the course of the last four years it has increased to more than \$13 million in contract funding from the Department of Health & Mental Hygiene (DOHMH). The additional funding enabled AC&C to make necessary improvements to its operations, restore and expand services, increase staff, add new positions and departments, replace equipment and supplies with better products, and devote more resources and staff to the animals in our care. All of these enhancements have helped AC&C increase live outcomes of NYC's shelter animals; attract quality candidates for employment; attract more charitable contributions and funding for capital improvements; and overall become a better organization.

Background and Overview of AC&C

AC&C is the largest animal sheltering system in the northeastern United States¹. Our mission is to promote and protect the health, safety and welfare of pets and people in New York City. AC&C is unique among all other animal welfare organizations in NYC in that we are the *only* organization that accepts *every* animal brought to it, whether the animal has been abandoned, surrendered, found as a stray, brought in by the public, NYPD, or our field rescue team, and regardless of age, health status, breed, species or condition. As the only "open admission" animal sheltering organization in NYC our annual intake exceeds that of any limited admission facility or other shelter in all five boroughs. In calendar year 2014, AC&C took in over 35,000² animals -- including more than 30,000 cats and dogs -- or roughly 95 animals per day.

Established in 1995 and incorporated in NY State as a 501(c)(3) not for profit organization, AC&C has been dedicated to rescuing, caring for and finding loving homes for these homeless and abandoned animals for twenty years. Under a contract with the City of NY and DOHMH, we operate five facilities, one in each borough. Of these 5 locations, three (3) are full-service Animal Care Centers located in Manhattan, Brooklyn, and Staten Island, and two (2) are Receiving Centers, located in the Bronx and in Queens. We are the only organization that receives, *and accepts*, animals of all kinds at each of these locations, not just dogs, cats and rabbits, but also snakes, birds, reptiles, and various farm animals.

¹ ACCT Philadelphia reported intake of 27,990 animals in 2014. <http://www.acctphilly.org/wp-content/uploads/2011/01/2014-Year-End.pdf?936bb7>

² Statistics available at www.nycacc.org/statistics.htm

In addition to sheltering animals, AC&C provides a multitude of services to people and animals in NYC including: counseling individuals upon intake, with the hope of offering safe, viable alternatives to surrendering a pet to the shelter; providing medical services upon intake and when an animal leaves the shelter (including examination, treatment, vaccination, spay/neuter, licensing and micro-chipping); providing daily behavior enrichment, and seeking placement for animals with the support of foster volunteers, New Hope partners (rescue organizations), returning animals to owners through lost and found efforts, and adoptions directly to the public. With the assistance of our Call Center, AC&C field services pick-up stray dogs, respond to emergency calls, transport animals from the receiving centers to the full service care centers several times per day, transport animals that have placement or require special medical attention beyond AC&C's resources, and respond to calls from the public needing assistance with an animal or concerning animals in need/distress.

AC&C receives tremendous support from the private sector as well. We are truly grateful, everyday, for the exceptional generosity of our dedicated volunteers, donors and partners. As a 501(c) (3) organization we are able to establish partnerships and solicit private donations and grants to provide animal enrichment, medical care and placement beyond the services articulated under the contract with the City. In 2014, financial contributions exceeded \$1.5 million. This figure is in addition to the tremendous support received in in-kind donations of goods and services. AC&C could not achieve the results we are seeing today without the breadth of public and private support. We are committed to continue on this trajectory of progress, which is essential to further grow both public and private support to enhance our efforts and ability to drive up the live release rate of the animals in our care.

Progress Report

Recruitment and Hiring

Since the passage of Local Law 59, AC&C has added almost 100 new staff; we have grown from 139 full time employees in January 2011 to over 230 currently. This increase in staffing remains essential in order to provide a higher level of care for the animals and services throughout the City. Staff has been added throughout the organization, across all departments and locations. Additionally, new departments were created, such as the admissions department to focus on surrender prevention, and enhance the information we received about an animal at intake ; an adoption department with staff exclusively dedicated to work on placing animals through public adoptions; a robust behavior and enrichment department that has tripled in size; dedicated client services staff and management; and seasoned development and communications professionals. Prior to these improvements, every transaction began at a front counter, regardless of why a member of the public was coming to AC&C. We plan to continue to grow our staff through FY2018 to increase the human to animal ratio especially during the spring and summer months when our intakes can swell to 2,000 animals per month. We will also add full time Admissions Counselors to the Bronx and Queens receiving centers; adoption staff dedicated to offsite, mobile adoption events to reflect the addition of four mobile adoption centers over the next years; and additional development and communications staff to focus on support from foundations, corporations and brand marketing to drive adoptions.

Hours of Operation

The increases in hours of operation as set out in Local Law 59 were met on or before the legal requirement. In brief our hours are:

Manhattan, Brooklyn and Staten Island Care Centers: 8AM - 8PM, 7 days a week

- Adoptions: Monday through Friday: 12:00 p.m. - 8:00 p.m.; Saturday and Sunday: 10:00 a.m. - 6:00 p.m.
- Intakes: 8am -- 8pm, 7 days a week, plus the Manhattan Care Center is open to the public and NYPD 24/7 for intakes
- Admissions: 8AM - 8PM, 7 days a week (Manhattan and Brooklyn); 11am-7pm, Saturday-Wednesday (Staten Island); FY2016 goal: 8AM - 8PM, 7 days a week for all care centers and receiving centers
- Field Services: 8AM - 8PM, 7 days a week; 24/7 for emergencies
- Call Center: 8AM - 8PM, 7 days a week
- Bronx and Queens Receiving Centers: 8AM - 8PM, 7 days a week

Animal Intakes

In calendar year 2014, AC&C took in over 35,000³ animals. Of this number, 30,118 were cats and dogs, compared to 28,907 cats and dogs in the previous year. In response to the upward trend of pet surrender, we created an Admissions Department in June 2014. We now offer surrender prevention counseling, strategies and resources to help an individual keep their pet. In just six months, we were able to prevent 367 dogs and cats from entering the shelter system. We will build on this success by adding staff and growing the network of resources we can offer, with a goal of preventing at least another 700 animals from being surrendered this year.

Animal Outcomes

AC&C is often asked "how many days do you keep an animal before euthanasia?" There is no pre-specified time period we keep animals prior to euthanasia. There is however a legal mandate regarding the length of time an animal must remain unavailable for placement, to the public or rescue community. AC&C will hold animals as long as possible based on a multitude of factors, including placement options, the animal's health and behavior, observations from staff and volunteers and, vital information obtained from the previous caregiver, as well as the resources of the Care Center at the given time.. Throughout the time animals are with us, we are working on placement plans and options. Indeed we currently have several cats and dogs just waiting for someone to adopt them, and have been in our care more than a month, and even longer. It is our goal to find placement for every animal that is healthy or may have a treatable condition through continual improvement and assessment of programmatic results.

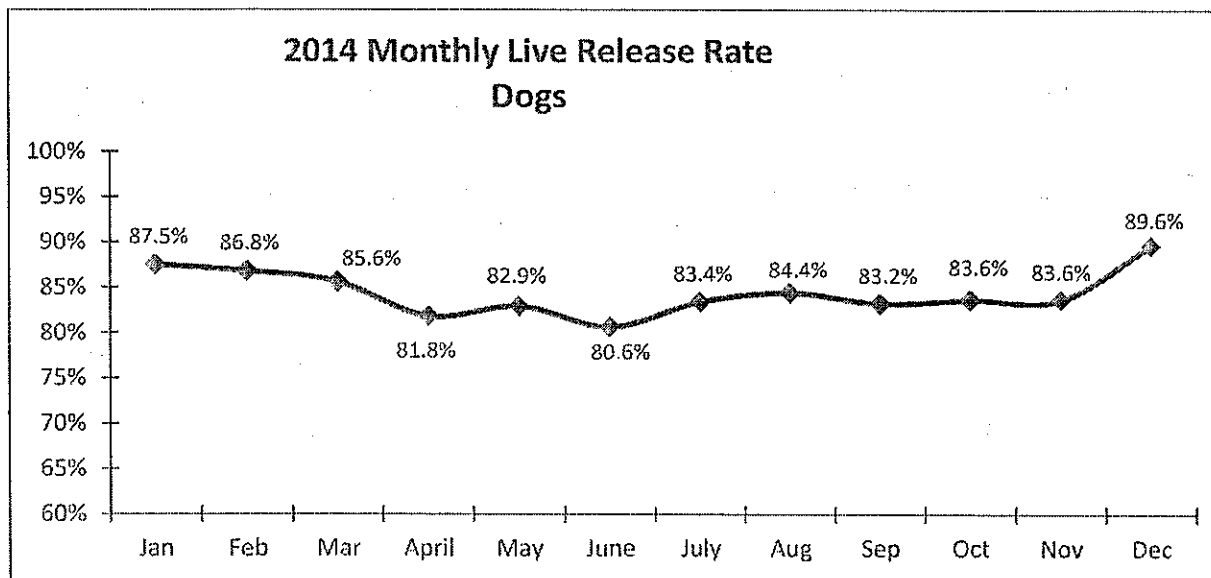
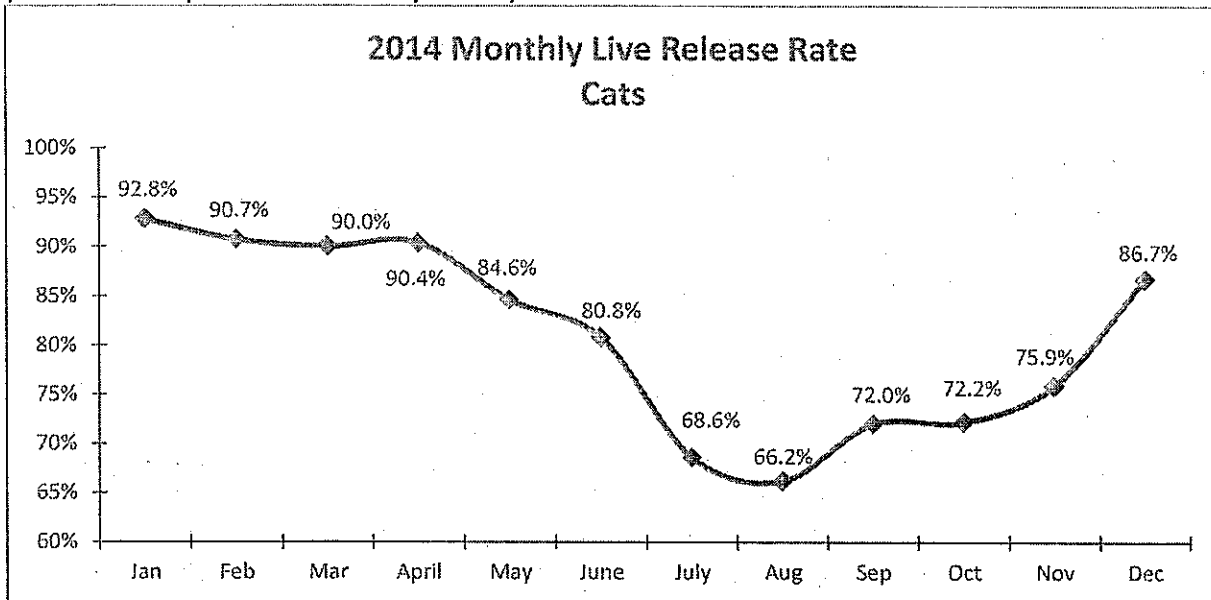
Live Release Rate

Like many shelters across the U.S., AC&C has started tracking its progress in saving the lives of all healthy and treatable animals by measuring its "live release rate." In 2014 AC&C achieved a Live Release Rate of 80.7% for cats and dogs⁴. And I am very pleased to report that in January 2015, our LRR was 88.8%. The 2014 monthly LRR data shows clearly that AC&C has achieved great success in managing its dog population, with a LRR at 80% or higher throughout the year. The greater challenge is managing the staggering number of cats and their litters that enter the shelter during the summer through fall. Working in concert with other shelters, the ASPCA, our New Hope partners, foster volunteers, DOHMH and other animal welfare organizations, and directing additional resources to

³ Statistics available at www.nycacc.org/statistics.htm

⁴ 2014 AC&C Annual Asilomar Report can be found at www.nycacc.org/statistics

programs targeting cat overpopulation in NYC, we are hopeful that at subsequent oversight hearings we will report marked improvement in our LRR for cats during these critical months. But please note, AC&C will not fall back on our efforts to place even more dogs too. As I said, our goal in the coming years is to find placement for every healthy and treatable animal in our care.



Placement of Animals

The strong partnerships AC&C has cultivated and maintained with our New Hope partners and the excellent animal rescue work these groups do to find new homes for animals are essential components of finding placement for the animals AC&C takes in. Over the last 4 years, we have grown the number of staff in our New Hope department and substantially increased the resources dedicated to make this program successful. We have more than ten staff who have cultivated a pool of 289 New Hope partners, which resulted in over 15,000 animals leaving AC&C. AC&C also adopted out more than 6,000 cats and dogs directly to the public, and is optimistic that adoptions directly to the public will increase moving forward as we add three additional Mobile Adoption Centers for use in the Bronx and Queens in

particular. We are grateful to State Senator Jeff Klein for the funding to purchase, staff and operate one of these vehicles exclusively in the Bronx and to the City and DOHMH for additional capital funding to purchase another two mobile adoption centers.

Progress and growth has been steady and constant since Local Law 59. Essential programs and staff have been added to help keep the animals in our care as happy and healthy as possible and to improve the live outcomes:

- We added a Medical Director and Senior Veterinary Manager/DVM who ensure that as soon as animals arrive, they are vaccinated against common diseases of concern in the shelter environment and are given a screening medical exam to identify additional health concerns that require further attention and/or treatment. Through a grant from the ASPCA, all dogs are also vaccinated against canine influenza upon intake.
- Foster department staff cultivated over 278 foster volunteers, who graciously opened their homes to 998 animals in need of individual attention in 2014.
- Over 25,000 volunteer hours were amassed by 636 volunteers walking dogs, socializing cats, tending to rabbits, participating in offsite adoption and awareness events, allowing AC&C to expand our capacity to provide routine enrichment for our animals, increase adoptions, recruit more fosters and being AC&C ambassadors in the community
- State of the art cat condos, dog kennels and rabbit cages replaced older housing
- Our Behavior & Enrichment Department grew to 24 full time staff to focus on behavior and training, daily dog playgroups and more detailed evaluation of behavior.

Through additional capital funding from DOHMH, we added 12 new field vehicles for rescue, transport to fosters and New Hope partners. Most recently, the city has committed an additional \$8.5 million in capital funding to build an adoption center where the garage is now located at the Manhattan care center; undertake HVAC and other facility improvements at our Brooklyn care center, the addition of two mobile adoption centers, and funding to expand and support a professional, experienced Development department.

Intro No. 485

AC&C is thankful for the support of the Council and is committed to continued improvement of the entire organization. We would welcome the opportunity to improve our services to NYC with an additional two shelters in the Bronx and Queens, especially state of the art facilities that address some of the inherent constraints of our current buildings. However, it is essential to also have adequate funding to support the many departments and staff required to care for and find homes for 30,000+ animals. Finding or building new facilities without adequate funding to sustain a level of performance that is at a minimum equal to where AC&C is now, would simply set up AC&C (or any other vendor) to fail. We urge the council to consider the costs associated with making NYC's animal sheltering *system* premier,— not just buildings —before voting on a mandate that has no funding to sustain and improve the live release rate and animal welfare services in NYC.

Thank you for the opportunity to testify today. I am happy to take any questions.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: Bury

(PLEASE PRINT)

Name: Peggy Ann Polsgrove

Address: 1130 Pelham Parkway South

I represent: Bury M 1046

Address: _____

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Appearance Card

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in favor in opposition

Date: 2-25-15

(PLEASE PRINT)

Name: Natalie L. Reeves

Address: 95 Worth Street #1413

I represent: Big Apple Bunnies

Address: same

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Allie Feldman

Address: 160 W. End Ave Apt

I represent: NYCLASS

Address: 31 W. 34th St

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
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in favor in opposition

Date: _____

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Name: Elizabeth M. Garcia

Address: _____

I represent: Dw Begony Ave Resub

Address: 2515 Newbold Ave
Brux, NY 10462

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I intend to appear and speak on Int. No. 495 Res. No. _____

in favor in opposition

Date: 2/25

(PLEASE PRINT)

Name: Jane Hoffman

Address: 55 W 14th St #101 MC 1011

I represent: Mayor's Alliance for NYC's Animals

Address: 244 5th Ave MC 1000

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THE CITY OF NEW YORK**

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in favor in opposition

Date: 2/25/2015

(PLEASE PRINT)

Name: Gail Buchwald

Address: _____

I represent: ASPCA

Address: _____

Please complete this card and return to the Sergeant-at-Arms

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THE CITY OF NEW YORK**

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in favor in opposition

Date: 2/25/15

(PLEASE PRINT)

Name: Matthew Bershadker

Address: _____

I represent: ASPCA, president + CEO

Address: _____

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THE CITY OF NEW YORK**

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: W. Ilyca Arizy

Address: 230 Riverside Dr

I represent: Self

Address: 230 Riverside Dr 10026

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THE CITY OF NEW YORK**

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I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Esther Kaslow

Address: _____

I represent: Shelter Reform Action Committee

Address: _____

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Appearance Card

I intend to appear and speak on Int. No. 495 Res. No. _____

in favor in opposition

Date: _____

Name: Thomas Lucania (PLEASE PRINT)

Address: _____

I represent: Bronx Borough President

Address: Ruben Diaz Jr.

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: CAROL ALEXANDER (PLEASE PRINT)

Address: 157-06 65 Ave Flushing, NY 11367

I represent: COMPANION ANIMAL NETWORK

Address: SAME

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 485 Res. No. _____

in favor in opposition

Date: 2/25/14

Name: Risa Weinstock (PLEASE PRINT)

Address: 11 Park Place NYC

I represent: Animal Care + Control of NYC

Address: 11 Park Place NYC

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 2/25/2015

(PLEASE PRINT)

Name: RICHARD ALLES

Address: 225 BROADWAY

I represent: UNIFORMED FIRE OFFICERS ASSOCIATION

Address: 225 BROADWAY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 485 Res. No. _____

in favor in opposition

Date: 2/25

(PLEASE PRINT)

Name: Daniel Kass

Address: Deputy Commissioner, Division of Environmental Health

I represent: DOHMH

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 485 Res. No. _____

in favor in opposition

Date: 2/25/15

(PLEASE PRINT)

Name: Mario Merlino

Address: Assistant Commissioner

I represent: Division of Environmental Health, DOHMH

Address: _____

Please complete this card and return to the Sergeant-at-Arms