



NEW YORK STATE SENATOR

Joseph P. Addabbo Jr.

## Addabbo Legislation Approved in Honor of Animal Advocacy Day

JOSEPH P. ADDABBO JR. April 15, 2024

The Senate passed legislation to expand animal protections and strengthen rules for the treatment of pets. The proposed legislation includes provisions that strengthen anti-slaughter laws; clarify the law on aggravated cruelty towards animals; and enact “Tucker’s Law.” The approval of this package of bills coincides with Prevention of Cruelty to Animals Month, making a concerted effort to elevate the humane treatment and well-being of those who can’t advocate for themselves.

Senator Joseph P. Addabbo, Jr. said, “In protecting our voiceless companions, we strengthen our humanity. These bills are crucial steps in ensuring the well-being and dignity of our animal friends, and I am proud to support these measures that uphold their rights and welfare. My bill, S.6796, aims to protect our beloved racehorses and uphold their dignity. By strengthening enforcement measures and imposing stricter penalties, we send a clear message that the inhumane treatment of these majestic animals will not be tolerated in our state.”

More specifically, Addabbo’s bill, S.6796A, would strengthen enforcement efforts of the state’s anti-slaughter of racehorses and racehorse breeding stock law by requiring the posting of signage that states it is illegal to sell or transfer such animals for slaughter at all racehorse auctions.

Additional legislation passed by the Senate includes:

S.761 (Addabbo co-sponsor) - Clarifies the Felony for Aggravated Cruelty to Animals: Eliminates the word "serious" from the "serious physical injury" language of the Agriculture and Markets law, relating to aggravated cruelty to animals to ensure that someone who attempts to harm an animal physically is appropriately penalized even if the assault is not successful and the animal makes a full recovery.

S. 5325 (Addabbo co-sponsor) - Enacts Tucker's Law: "Tucker's law" removes the provision that provides that any term of imprisonment for a violation of aggravated cruelty to animals may not exceed two years.

In June 2014, an English bulldog named Rocky was the victim of a heinous act of cruelty when a neighbor threw ammonia in his face to quiet his barking. By the time Rocky was brought to the vet, he had ulcers in both eyes and the vet wasn't sure if he would regain his sight. Thankfully, Rocky recovered but that outcome also gave the perpetrator a way out. Due to the felony animal cruelty statute, a charge could not be sustained because Rocky's recovery conflicted with the prosecutor's interpretation of "serious physical injury." Since Rocky fully recovered, the perpetrator faced a much lower penalty. The perpetrator was given a conditional discharge after being convicted of misdemeanor animal cruelty charges, forced to pay \$1,000 to the ASPCA for the dog's medical treatment, and banned from going near Rocky or ever owning a dog. Legislation S.761, eliminates the word "serious" from the statute to fix the loophole when a person's actions were intended to cause extreme physical pain or conducted in an especially depraved or sadistic manner, only requiring proof that the animal was killed or injured.

In 2022, a man pleaded guilty to several acts of animal cruelty occurring within weeks of each other. He fatally beat two puppies and injured a third resulting in a lost leg. One of the

deaths involved a shepherd mix named Tucker. Tucker was adopted out from North Shore Animal League and then beaten so badly that he died a week later from a kidney rupture. The man eventually admitted to intentionally inflicting deadly blunt-force trauma on Tucker and the other animals involved.

While the man committed three separate crimes, he could only serve the maximum sentence of two years in prison. Under current law and without enacting S.5325 changes, aggravated animal cruelty carries a sentence of two years regardless of how many acts of violence are committed against multiple animals.

Addabbo's bill, S.6796A, passed the Assembly on March 25 and now awaits the Governor's signature to become law. The two other approved animal welfare bills, S.761 and S.5325 are under consideration by the Assembly Agriculture Committee.