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THE LEAGUE OF HUMANE VOTERS



LOHV League of Humane Voters of New York

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Strengthening Buster's Law to Enable Felony Prosecution of Aggravated Animal Abuse

Statement of Problem: "Buster's Law," as originally introduced by Assemblyman Tedisco, has been on the books for several years. It has helped prosecutors to bring felony convictions in cases of aggravated cruelty to animals. However, the restriction that limits its application to cases involving domestic animals puts constraints on its use in some cases where felony prosecution is clearly called for.

Summary Proposal:

This bill provides that a person is guilty of aggravated cruelty to animals when such person intentionally kills or causes serious physical injury to an animal with aggravated cruelty; it removes the qualification that the animal need be a domestic animal.



Felony



Misdemeanor?

Detailed Proposal:

In many cases animals such as pigs, ducks, and horses are kept as companion animals; they are not raised for slaughter nor used as working farm animals. Furthermore, a great many animals with whom people regularly interact at public parks are classified as wildlife and not as domestic animals.

In several recent cases where there was aggravated cruelty to animals of that type, the prosecutors were loath to bring a felony prosecution since they were not sure they could get a felony conviction. Instead, they frequently opted to offer a plea bargain agreement to a misdemeanor charge. These plea bargain agreements resulted in absurdly weak "slap-on-the-wrist" sentences considering the gravity of the offense committed.

We need to expand the intention in the original Buster's Law to include aggravated cruelty against all animals, be they domestic, farm, or wild animals.