



New York State YMCA
Youth And Government

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FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Assembly Freedom 3

Bill #:AF-16

1 **Sponsors:** Kate Happy, Allison Lapinski, and Colin Hansen

2

3 **An Act To** Amend Agriculture and Markets Law Section 353-A to prohibit New York
4 State residents with animal cruelty felony charges from working with demographics
5 that are most at-risk for abuse through a classification on every felon's driver's
6 license, which is newly designated to them after their sentencing.

7

8 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

9

10 **Purpose**

11 To ensure the safety of all demographics that are directly at risk for abuse by a
12 previously convicted animal cruelty felon.

13

14 **Summary of Provisions**

15 **Section 1**

16 **Felony:** a title given to any individual who has perpetuated or instigated a crime
17 related to animal cruelty, of any class or level.

18 **Foster child:** any child who is currently in the custody of the foster system or is a
19 ward of the state.

20 **Domestic violence victim:** any man, woman, or child that is the victim of domestic
21 violence and is living outside of the home, in a shelter, or has claimed that the
22 home is not safe enough to reside in due to the threat of a domestically abusive
23 parent, sibling, guardian, spouse, or an otherwise abusive member of a family.

24 **Rehabilitation:** a facility in which an individual is working on or seeking to solve an
25 issue such as drug addiction, sex addiction, alcohol addiction, mental illness, or
26 other issue that interferes with the person's stability and/or everyday life. A
27 combination of any previously mentioned rehabilitation methods (i.e. someone
28 seeks to rid themselves of drug and sex addiction simultaneously) is especially
29 important in the context of the bill.

30 **Animal Cruelty:** the degradation or legitimate harming of an animal. In the context
31 of the bill, animal cruelty shall have resulted in the conviction of a felony charge
32 pursuant to section 55.10 of the New York State penal code.

33

34 **Section 2**

35 Aggravated cruelty to animals is a felony. A defendant convicted of this offense
36 shall be sentenced pursuant to paragraph (b) of subdivision one of section 55.10 of
37 the penal law provided, however, that any term of imprisonment imposed for
38 violation of this section shall be a definite sentence, which may not exceed two
39 years. In addition, a classification on the felon in question's driver's license shall be
40 presented after conviction in the form of a label above the "organ donor"
41 classification that reads "ACF" for "animal cruelty felon". The felon will pay \$100 for
42 a new driver's license with the incorporated label unless the felon is at or below the
43 poverty line, in which case they will receive a fee waiver. The label will be present



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44 on every license in the felon’s possession thereafter. A felon with this classification
45 shall be prohibited from holding a position of power over or a position of work with
46 inherently helpless or otherwise at-risk demographics, including foster children,
47 students, people in rehabilitation, or domestic violence victims. The classification
48 will be reviewed by employers who oversee places of work that involve caring for or
49 working closely with the demographics outlined in section 1, and felons with this
50 specific classification cannot be hired by these establishments by law. If an
51 employer hires a felon with the aforementioned label on their driver’s license, they
52 will be subject to a fine of \$5,000.

53

54 **Justification**

55 Animal abusers are overlooked when it comes to the social classification of violent
56 felons. There is a direct correlation between animal abuse and abuse of people,
57 specifically towards those in a position of supposed inferiority towards the abuser.
58 Domestic violence and violence against animals are specifically linked, according to
59 American Humane; a survey of pet-owning families with substantial child abuse and
60 neglect run by this organization found that 88% of homes where child abuse was
61 present also involved abuse of pets. The abuse of children and animals is correlated
62 because abusers target demographics that are both accessible and typically viewed
63 as inferior to them to carry out aggressive acts. Children are often moved to foster
64 care as a preventative method against abuse and neglect, both of which leave them
65 vulnerable and often traumatized. This, in turn, makes it easy for an abuser to take
66 advantage of their fragility and target them. While animal cruelty certainly does not
67 always entail bestiality, an abuser can also take advantage of children in a sexual
68 manner. If foster children are placed in an abuser’s care or allowed to work closely
69 with an abuser, there is a high risk that they will ultimately suffer the
70 consequences. Violent felons, especially cruelty-related ones, should not be allowed
71 to work with this demographic.. By prohibiting animal cruelty felons from working
72 with New York State residents that are most at-risk for abuse, the State can be a
73 leader in the prevention of abuse and ensuring the safety of all people who are at
74 risk due to their youth or low level of stability.

75

76 **Fiscal Implications**

77 The state will make \$10-\$20 profit for every new driver’s license issued to each
78 felon (given that they are not at liberty to utilize the fee waiver). Otherwise, there
79 are no expected fiscal implications.

80

81 **Environmental Implications**

82 There are no expected environmental implications of this bill.

83

84 **Effective Date**

85 The law will go into effect one calendar year after passage.