EC LEG NOV27'12 AM10:17

A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR McCRACKEN

RE: Encouraging the NYS Legislature and Governor to Enact "Phoenix's Law" to Increase the Criminal Penalties for Animal Cruelty

WHEREAS, on October 29, 2012, two Buffalo teenagers allegedly doused a Jack Russell terrier with lighter fluid and attempted to burn the dog to death; and

WHEREAS, although the dog – named Phoenix by the veterinary team at Buffalo Small Animal Hospital – survived the October 29 incident, his recovery has been painful and slow, including multiple surgeries and skin grafts to treat the burns which covered more than 50% of his body; and

WHEREAS, current state law does not adequately address a crime of such depravity with an appropriate punishment; and

WHEREAS, this shortcoming in New York State Law calls for a legislative remedy; and

WHEREAS, it behooves the New York State Assembly and Senate – on behalf of helpless animals like Phoenix and the countless citizens of this state who are appalled by animal cruelty – to introduce bills in the upcoming session of the Legislature to update the penal law to exact a punishment that more closely reflects the severity of the animal cruelty crime committed.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature encourage the New York State Assembly and Senate to introduce and approve bills in the upcoming session of the State Legislature commencing in January 2013, and also urge the Governor to sign the bills into law, that will raise the level of felony for animal torture and abuse to more accurately reflect the heinousness and gravity of the crime; and be it further

RESOLVED, that copies of this resolution be conveyed to the Governor, Speaker of the Assembly and Senate Majority Leader, the Western New York Delegation of the New York State Legislature, District Attorney Frank A. Sedita, III, County Executive Mark Poloncarz and all others deemed necessary and proper.

FISCAL IMPACT: None for resolution.