

The Association of the Bar of the City of New York
Committee on Legal Issues Pertaining to Animals

**Testimony Before the New York City Department of Health & Mental Hygiene Hearing on
November 1, 2006.**

My name is Jane Hoffman, and I am the Chair of the New York City Bar Association's Committee on Legal Issues Pertaining to Animals (the Committee). The Committee was the first such bar association committee in the nation. In this statement, I am speaking on behalf of the Association.

The Committee sponsors annual Animals and the Law conferences as well as evening programs that are open to the public on areas of interest such as Humane Education, Pets in Housing, Animal Abuse and the Violence Connection to name a few.

The Committee also publishes brochures regarding animal cruelty, access rights for people with disabilities and their service animals, and caring for your pet during hospitalization and comments on and drafts legislation on the local, state and federal level.

The Committee is very familiar with the language of Health Code Section 161.05 concerning the restraint of animals, and the Parks Department Rule Section 1-04(i), which enables the Parks Commissioner to permit animals off-leash. It is also familiar with Section 533 of the City Charter, which empowers the Parks Commissioner to establish and enforce rules and regulations for the use, government, and protection of public parks.

The Committee supports the Parks Department's policy of permitting off-leash exercise and socialization for dogs in designated parks within the City between the limited hours of 9 PM until parks close, and when they re-open until 9 AM.

By implementing this policy, the Parks Department has demonstrated both understanding and responsiveness to the needs of New York City's more than one million dogs. This is true for both those with homes and without. At the same time, the Parks Department has demonstrated both understanding and responsiveness to the needs of New York City's non-dog owning public, as the off-leash hours are appropriately limited in both duration and location.

Access to areas and times that enable dogs to exercise and socialize off-leash very likely contributes to keeping dogs that already have homes in them and out of the shelters as well as helping with the adoption of dogs that otherwise would remain in shelters, or be euthanized. The policy also promotes responsible dog ownership through the limited duration and designated spaces permitted for it.

The Committee believes that the limited off-leash policy is a reasonable exercise of the Parks Commissioner's authority under the existing regulations, and also is critical to the proper health and social development of dogs.

For these reasons the Committee supports the Health Department's proposed amendments to Health Code Section 161.05, regarding vaccination and licensing, and hopes that the off-leash policy will be strengthened by these changes.